

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO

Plaintiff,
Respondent

vs

THOMAS EUGENE CREECH

Defendant,
Appellant

No 9701

CLERKS TRANSCRIPT ON APPEAL

APPEALED FROM THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR SHOSHONE COUNTY

THE HONORABLE J. RAY DURTSCHI, PRESIDING

LYNN E. THOMAS
Statehouse
Boise, Idaho
83720

Attorney for Plaintiff
and Respondent

BRUCE O. ROBINSON
Box 8
Nampa, Idaho
83651

Attorney for Defendant
and Appellant

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ROBERT H. REMAKLUS
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Cascade, Idaho 83611
Telephone (208) 232-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 762 Sub No. 1
Filed AM 12:45 PM.

NOV 08 1974

J. W. CRUTCHER, CLERK
By P. C. Crutcher

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
THOMAS ROSENFELD, aka)
TOM TURNER, aka JOE CARL)
ADAMS, aka RICHARD DENNIS,)
JR., and CAROL SPAULDING,)
)
Defendants.)
* * *

Case No. 762

COMPLAINT - Criminal

On this 8th day of November, 1974, personally appeared before me, Derold E. Lynskey, Sheriff of Valley County, Idaho, who, being first duly sworn upon oath, complains and says:

That the above named defendants, Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, have committed two separate crimes which are similar in character or based upon the same acts or transactions as follows:

COUNT I

That the crime of MURDER IN THE FIRST DEGREE, in violation of Sections 18-4001 and 18-4003, Idaho Code, has been committed by said defendants, Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding as follows:

That the said defendants, Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, on or about the 4th day of November, 1974, at and in the County of Valley, State of Idaho, then and there being, did then and there knowingly, wilfully, unlawfully, intentionally, feloniously and deliberately with premeditation and malice aforethought and the intent then and there had to kill and murder one Edward Thomas Arnold with a certain High Standard 22 Caliber Automatic pistol bearing

Serial No. 366934, then and there held in the said defendants' hands, and then and there loaded, did then and there wilfully, unlawfully, knowingly, intentionally, feloniously and of their own deliberate and premeditated malice aforethought with intent to kill and murder the said Edward Thomas Arnold, a human being, as aforesaid, aim, shoot and discharge the said loaded pistol so that the said Edward Thomas Arnold was struck in the head by the bullet from the said pistol shot and discharged at him by said Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, mortally wounding said Edward Thomas Arnold from which mortal wound he sickened and died at Valley County, Idaho, on the 4th day of November, 1974,

all of which is contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Idaho.

COUNT II


That the crime of MURDER IN THE FIRST DEGREE, in violation of Sections 18-4001 and 18-4003, Idaho Code, has been committed by said defendants, Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, as follows:

That the said defendants, Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, on or about the 4th day of November, 1974, at and in the County of Valley, State of Idaho, then and there being, did then and there knowingly, wilfully, unlawfully, intentionally feloniously and deliberately with premeditation and malice aforethought and the intent then and there had to kill and murder one certain human being whose identity is unknown, with a certain High Standard 22 Caliber Automatic pistol bearing Serial No. 366934, then and there held in the said defendants' hands, and then and there loaded, did then and there wilfully, unlawfully, knowingly, intentionally, feloniously and of their own deliberate and premeditated malice aforethought with intent to kill and murder the said unidentified human being, as aforesaid, aim, shoot and discharge the said loaded pistol so that the said unidentified human being was struck in the head by three bullets from the said pistol shot and discharged at him by said Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., and Carol Spaulding, mortally wounding said unidentified human being from which mortal wound he sickened and died at Valley County, Idaho, on the 4th day of November, 1974,

all of which is contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Idaho.

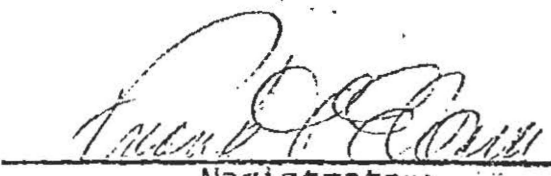
WHEREFORE, complainant prays that a warrant be issued for the arrest of the said defendants, Tom Turner, aka Joe Carl Adams, aka

Richard Dennis, Jr., and Carol Spaulding, and for proceedings
thereafter according to law.



Sheriff of Valley County, Idaho

SUBSCRIBED AND SWORN TO before me this 8th day of November, 1974.



Magistrate

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-1270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 81-12 Inst. No. 2
Filed 10:45 A.M. 10:45 P.M.

NOV 8 1974

J. W. CRUTCHER, CLERK
By [Signature] Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,

Plaintiff.

vs.

TOM TURNER, aka JOE CARL ADAMS, aka
RICHARD DENNIS, JR., and CAROL
SPAULDING

Defendant.

WARRANT OF ARREST

TO ANY SHERIFF, CONSTABLE, MARSHAL OR POLICEMAN IN THE STATE OF IDAHO:

A COMPLAINT UPON OATH Having been this day laid before me by Derold E. Lynskey, Sheriff
of Valley County, Idaho stating the crime of two murders in the first
degree, in violations of Sections 18-4001 and 18-4003, Idaho Code,

Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., (felony) (misdemeanor) has been
committed, and accusing and Carol Spaulding thereof, the above named defendant.

YOUR ARE THEREFORE, COMMANDED To immediately arrest the said defendant named above.
and bring then before me at my office in said County of Valley, or in case of my absence or
inability to act before the nearest or most accessible magistrate in Valley County.

DATED This 8th day of November, 19 74.

May be served:

Day time only

Day time or nighttime X

Bond None

[Signature]

Magistrate for the District Court of the Fourth
Judicial District, Magistrate Division

RETURN OF SERVICE

I HEREBY CERTIFY That I served the foregoing Warrant by arresting the above named defendant(s)
and bring them into Court this 8th day of November, 19 74.

[Signature]
(Deputy Sheriff) (State Policeman) (City Policeman)

Warrant of Arrest - 1 -

The within named Thomas Eugene Creech, aka Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., having been brought before me under this warrant, is committed for examination to the Sheriff of Valley County, State of Idaho.


Magistrate

ROBERT H. REMAKLY
P. Box 759
Castro, Idaho 83511
Telephone (203) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 862 Inst. No. 3
Filed 6:30 A.M. 6:30 P.M.

NOV 9 1974

J. W. CRUTCHER, CLERK
By Sue Sparks Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

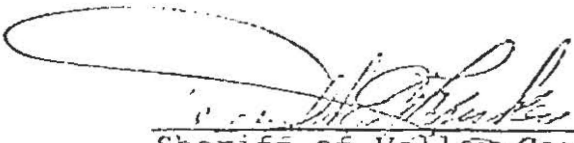
STATE OF IDAHO,)	
)	
Plaintiff,	)	Case No. 862
)	
vs.)	
	)	MOTION AND ORDER FOR
THOMAS EUGENE CREECH,	)	CONFINEMENT IN ADA COUNTY JAIL
)	
Defendant.)	
)	

COMES NOW, Derold E. Lynskey, Sheriff of Valley County, Idaho, and moves this Honorable Court for an order confining the above named defendant, Thomas Eugene Creech, in the Ada County, Idaho, Jail pending final determination of this action upon the ground and for the reason that it is for the safety and to the best interests of such defendant;

That such Sheriff is possessed of certain information which leads him to believe that an attempt may be made upon the life of such defendant by third persons, thereby endangering the lives and well being of the general public, and specifically Courthouse employees of Valley County, Idaho, and the Sheriff's Department;

WHEREFORE, such Sheriff prays that such an order be made and that such order shall provide for transportation of said defendant between the Ada County Jail and the Valley County Courthouse as required in the prosecution of this action.

DATED this 9th day of November, 1974.



Sheriff of Valley County, Idaho

Motion and Order for Confinement
in Ada County Jail

O R D E R

Upon reading and filing the foregoing Motion and good cause appearing therefor,

IT IS HEREBY ORDERED that the above named defendant, Thomas Eugene Creech, shall be confined in the Ada County, Idaho, jail during the pendency of this action and that the Sheriff of Valley County, Idaho, is hereby ordered to transport such defendant between the Ada County Jail and the Valley County Courthouse at such times as may be directed by the Court for proper prosecution of this action.

DATED this 9th day of November, 1974.


Magistrate

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

HON. FRANK T. ELAM
JUDGE

FALL TERM

November 8, 1974
DATE

C O U R T M I N U T E S

THE STATE OF IDAHO,
Plaintiff,

-vs-

No. 862

TOM TURNER ada JOE CARL ADAMS
ada RICHARD ENNIS JR. aka
THOMAS EUGENE CREECH & CAROL
SPAULDING, Defendants.

Tape No. 153

Ind. No. 000-044

Appearances:

R. H. Remaklus

Prosecuting Attorney

Ward Hower

Counsel for the Defendants

Court appointed Ward Hower to represent the Defendant's.

Court ordered that the complaint be amended to read aka Thomas Eugene Creech.

Upon recommendation of the Prosecuting Attorney, clerk read the complaint in its entirety.

Court advised the Defendant's of their rights, the charges, and possible penalties.

Court continued the matter on Thomas Eugene Creech until November 12, 1974 at 10:00 o'clock A. M.

Court denied bail on the Defendant's.

Upon recommendation of the Prosecuting Attorney, court ordered that Carol Spaulding be proceeded as a juvenile under the Youth Rehabilitation Act.

Counsel for the Defendant makes a motion for dismissal on Carol Spaulding on the criminal charges.

Court takes motion under advisement.

Reporter: S. Sparks

Clerk: JWC/ss

Dated: 11-8-74

APPROVED BY:


JUDGE

ROBERT H. REMAKLUD
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 862 Inst. No. 4
Filed NOV 12 1974 AM. 3:40 PM

NOV 12 1974

J. W. CRUTCHER, CLERK
By J. W. Crutcher Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH, aka
TOM TURNER, aka JOE CARL
ADAMS, aka RICHARD DENNIS,
JR.,

Defendant.

Cr. No. 862

ORDER OF TRANSMITTAL OF
RECORD

* * *

WHEREAS, the defendant in the above entitled action was charged with two counts of murder in the first degree under Sections 18-4001 and 18-4003, Idaho Code, on a complaint signed by Derold E. Lynskey, Sheriff of Valley County, Idaho, filed in the Court; and

WHEREAS, the defendant was informed of the nature of these offenses and of his rights, including his right to counsel and the defendant stating that he wished counsel, and the Court having determined that the defendant was indigent, the Court appointed Ward Hower of Cascade, County of Valley, State of Idaho, to represent him in this matter; and


WHEREAS, the defendant appeared before this Court with his attorney on the 12th day of November, 1974, and waived his right to a preliminary hearing, and the Court sitting as a committing Magistrate, found that the said offenses herein set forth had been committed in Valley County, Idaho, as charged and that there was probable cause to believe that said defendant, Thomas Eugene Creech, is guilty of committing said offenses.

NOW, THEREFORE, IT IS HEREBY ORDERED by the Court that the said defendant, Thomas Eugene Creech, be, and he is hereby bound over to the

District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Valley, to answer to two counts of murder in the first degree, under Sections 18-4001 and 18-4003, Idaho Code, on a complaint signed by Derold E. Lynskey, Sheriff of Valley County, Idaho, filed in this Court;

IT IS FURTHER ORDERED that the defendant be remanded to the custody of the Sheriff of Valley County, Idaho, without bail.

DATED this 12th day of November, 1974.


Magistrate

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

HON. FRANK T. ELAM
JUDGE

FALL TERM

November 12, 1974
DATE

C O U R T M I N U T E S

THE STATE OF IDAHO,)
Plaintiff,)
-vs-)
THOMAS EUGENE CREECH aka TOM)
TURNER aka RICHARD DENNIS JR.)
aka CARL ADAMS,)
Defendant.)

No. 862

Tape No. 153
Ind. No. 044-056

Appearances:

R. H. Remaklus

Prosecuting Attorney

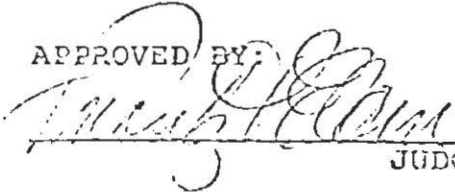
Ward Hower

Counsel for the Defendant

Defendant waived the right to a preliminary hearing.

Court bound the Defendant over to District Court and set matter
for next motion day on December 4, 1974 at 2:00 o'clock P.M.

Reporter: S. Sparks
Clerk: JHC/ss
Dated: 11-12-74

APPROVED BY:

JUDGE

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 2165 Inst. No. 1
Filed 11:43 A.M. P.M.

DEC 04 1974

J. W. CRUTCHER, CLERK
By Andy Wood Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH, aka
TOM TURNER, aka JOE CARL
ADAMS, aka RICHARD DENNIS,
JR.,

Defendant.

Case No. 2165

INFORMATION

* * *

ROBERT H. REMAKLUS, Prosecuting Attorney in and for the County of Valley, State of Idaho, who, in the name and by the authority of said State, prosecutes in it's behalf, in proper person comes now into said District Court of the County of Valley, and gives the Court to understand and be informed that Thomas Eugene Creech is accused by this Information of two counts of Murder in the First Degree, upon which charges the said Thomas Eugene Creech, having been duly brought before a Magistrate on the 12th day of November, 1974, and upon waiving the preliminary examination upon such charges, was by said Magistrate thereupon held to answer to the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Valley, to said charges, which said crimes were committed as follows, to-wit:

COUNT I

That the crime of MURDER IN THE FIRST DEGREE, in violation of Sections 18-4001 and 18-4003, Idaho Code, has been committed by said defendant, Thomas Eugene Creech, aka Tom Turner, aka Joe Carl Adams,

aka Richard Dennis, Jr., as follows:

That the said defendant, Thomas Eugene Creech, on or about the 4th day of November, 1974, at and in the County of Valley, State of Idaho, then and there being, did then and there knowingly, wilfully, unlawfully, intentionally, feloniously and deliberately with premeditation and malice aforethought and the intent then and there had to kill and murder one Edward Thomas Arnold with a certain High Standard 22 Caliber Automatic pistol bearing Serial No. 366934, then and there held in his, the said defendant's hand, and then and there loaded, did then and there wilfully, unlawfully, knowingly, intentionally, feloniously and of his own deliberate and premeditated malice aforethought with intent to kill and murder the said Edward Thomas Arnold, a human being, as aforesaid, aim, shoot, and discharge the said loaded pistol so that the said Edward Thomas Arnold was struck in the head by the bullet from the said pistol shot and discharged at him by said Thomas Eugene Creech, mortally wounding said Edward Thomas Arnold from which mortal wound he sickened and died at Valley County, Idaho, on the 4th day of November, 1974,


all of which is contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Idaho.

COUNT II

That the crime of MURDER IN THE FIRST DEGREE, in violation of Sections 18-4001 and 18-4003, Idaho Code, has been committed by said defendant, Thomas Eugene Creech, aka Tom Turner, aka Joe Carl Adams, aka Richard Dennis, Jr., as follows:

That the said defendant, Thomas Eugene Creech, on or about the 4th day of November, 1974, at and in the County of Valley, State of Idaho, then and there being, did then and there knowingly, wilfully, unlawfully, intentionally, feloniously and deliberately with premeditation and malice aforethought and the intent then and there had to kill and murder one John Wayne Bradford with a certain High Standard 22 Caliber Automatic pistol bearing Serial No. 366934, then and there held in his, the said defendant's hand, and then and there loaded, did then and there wilfully, unlawfully, knowingly, intentionally, feloniously and of his own deliberate and premeditated malice aforethought with intent to kill and murder the said John Wayne Bradford, a human being, as aforesaid, aim, shoot and discharge the said loaded pistol so that the said John Wayne Bradford was struck in the head by three bullets from the said pistol shot and discharged at him by said Thomas Eugene Creech, mortally wounding said John Wayne Bradford, from which mortal wound he sickened and died at Valley County, Idaho, on the 4th day of November, 1974,

all of which is contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Idaho.


Robert H. Remaklus
Prosecuting Attorney
Valley County, State of Idaho

Names of witnesses known to Robert H. Remaklus, Valley County
Prosecuting Attorney, at the time of filing of this Information:

Derold E. Lynskey
Martin J. Maxwell
Wesley L. Woodall
Gene Hawker
Burton Walker
E. F. Bladow
Carl Tercek
Lester Kelley
Ted Nelson
Steven Rivers
James Marsh
Richard Gillilan
Carol Spaulding
Kathy Spaulding
Martha Spaulding
William Schreiber
Larry Ford
Gretchen Carney
Bill Hill
George M. Menzik
Johnnie I. Hill
Roy Lynn Hull
Bud Mason
Clayton Anderson
Chuck Peugh
Merton Logue
Chuck Palmer
Jim Hass
Lawrence Herrick
Dr. Delbert E. Scott
Dr. J. H. Treleaven
Dr. Wesley Weissert
Dr. Francis Sessions
Dr. John T. Clymer
Dr. Edward Colbach
Dr. John F. Moser
Dr. Guy Parvaresh
Eugene Booth
George Sinclair, Jr.
Loring Beals
Mr. Ford, F.B.I. Agent, Washington, D. C.

WARD HOWER, Lawyer
Residence: 1100 33511
Telephone: 335-1051

DEC 04 1974

J. W. CRUTCHER, CLERK
By De. Spinks Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH,
Defendant

CRIMINAL ACTION # 2145

NOTICE OF INTENTION TO RELY
ON THE DEFENSE OF MENTAL
DISEASE OR DEFECT EXCLUDING
RESPONSIBILITY

NOTICE IS HEREBY GIVEN that the defendant intends to rely upon
the defense of mental disease or defect excluding responsibility.

Ward Hower
Ward Hower, Attorney for the Defendant

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 2165 Inst. No. 3
Filed 4:11 P.M.

DEC 04 1974

J. W. CRUTCHER, CLERK
By SAC Sparks Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH,

Defendant.

Case No. 2165

ORDER

* * *

IT IS HEREBY ORDERED that the defendant, Thomas Eugene Creech, be remanded to the custody of the Sheriff of Ada County, Idaho, to be by him held in the Ada County, Idaho, Jail pending further order of this Court.

DATED this 4th day of December, 1974.


District Judge

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
2 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

3 * * *

4 STATE OF IDAHO,)
5 Plaintiff,)
6 vs.)
7 THOMAS EUGENE CREECH,)
8 Defendant,)
9 -----)

CRIMINAL NO.2165

ORDER

DEC 5 1974

10 * * * * *

11 The Defendant in this action having filed his written
12 Notice of his intention to rely on the defense of mental disease
13 or defect, excluding responsibility for the offense charged:

14 IT IS HEREBY ORDERED, pursuant to the provisions of
15 Section 18-211, Idaho Code, that Dr. Michael E. Estes, a duly
16 qualified psychiatrist, be and he hereby is appointed to
17 examine and report upon the mental condition of the Defendant.

18 IT IS THEREFORE ORDERED That the Sheriff of Ada County,
19 Idaho, custodian of the Defendant, shall cause the Defendant to
20 be taken to the office of Dr. Estes on December 12, 1974, at
21 11:00 A.M. for purposes of such examination, and such other
22 times as desired by Dr. Estes.

23 The Defendant shall also be afforded psychological testing
24 at the descretion of Dr. Estes, for use in the evaluation.

25 In such examination any method may be employed which is
26 accepted by the medical profession for the examination of those
27 alleged to be suffering from mental disease or defect.

28 The report of the examination shall include the following:

- 29 (1) A Description of the nature of the examination;
30 (2) A diagnosis of the mental condition of the Defendant;

-1-

1
2 (3) If the Defendant suffers from a mental disease or
3 defect, an opinion as to his capacity to understand the pro-
4 ceedings against him and to assist in his own defense;

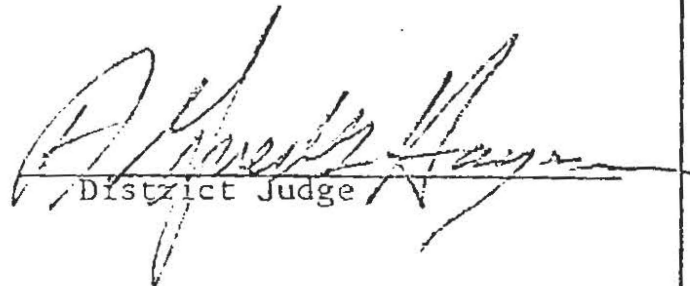
5 (4) An opinion as to the extent, if any, to which the
6 capacity of the Defendant to appreciate the wrongfulness of
7 his conduct or to conform his conduct to the requirements of
8 the law was impaired at the time of the criminal conduct charged;

9 If the examination cannot be conducted by reason of the
10 unwillingness of the Defendant to participate therein, the
11 report shall so state and shall include, if possible, an opinion
12 as to whether such unwillingness of the Defendant was the result
13 of mental disease or defect.

14 The Report of the examination shall be filed in triplicate
15 with the Clerk of the Court, who shall cause copies to be del-
16 ivered to the Prosecuting Attorney and to Counsel for the
17 Defendant.

18 IT IS FURTHER ORDERED That the Sheriff of Ada County,
19 Idaho, cooperate with the said Dr. Estes in making the Defendant
20 available for such examination or examinations.

21 Dated this 5 day of December, 1974.
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District Judge

In the District Court of the Fourth Judicial District of the
State of Idaho, In and For the County of Ada

STATE OF IDAHO

Plaintiff

2165

vs

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d) I.R.C.P.

THOMAS EUGENE CREECH

Defendant

I, CLARENCE A. PLANTING, the undersigned authority, do hereby certify
that I have mailed, by United States mail, one copy of the Order re evaluation

as notice pursuant to Rule 77 (d) I.R.C.P. to each of the attorneys of record in this cause in
envelopes addressed as follows:

Sheriff of Ada County
Ada County Courthouse

Marshall's Office
Ada County Courthouse

Ward Hower
Attorney at Law
Cascade, Idaho 83611

R. H. Remaklus
Attorney at Law
Cascade, Idaho 83611

Michael E. Estess
6003 Overland
Boise, Idaho 83705

CLARENCE A. PLANTING
CLERK OF THE DISTRICT COURT
Ada County, Idaho

By Clarence A. Planting
Deputy Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~XXX~~ VALLEY

HON. ALFRED C. HAGAN
DISTRICT JUDGE

SEPTEMBER Term 13 74

December 4, 1974

Date _____

COURT MINUTES

The State of Idaho,
Plaintiff -
vs
Thomas Eugene Creech
Defendant -
MURDER IN THE FIRST DEGREE

Cr. No. 2165

Appearances:

R. H. Remaklus
Ward Hower

Counsel for State

Counsel for Defendant(s)

Defendant in custody.

Information and papers filed. Time set for initial arraignment.

The Court informed the Defendant(s) of the charge filed against him being a felony and of the possible penalties which could be imposed.

☒

The Court advised the Defendant(s) of *his* right to Counsel at public expense in all proceedings in this Court.

Right to Counsel waived by Defendant(s) _____

✓ Public Defender appointed to represent Defendant(s)

Mr. _____ appearing as own
Counsel of Record for Defendant(s)

☒

The Court advised the Defendant(s) of his right to Appeal from any Judgment entered, to be represented by Counsel in said Appeal and payment of Costs incurred in said Appeal at public expense and of the Appeal time being thirty (30) days.

True copy of the Information furnished to the Defendant(s) and Counsel.

True name(s) same for Defendant(s) Thomas Eugene Creech
Alias stricken from information.
Defendant(s) corrected name is

(Continued on Page 2)

Formal reading of the Information waived by Defendant(s).

☒ Upon the Direction of the Court, the Clerk read the Information to the Defendant(s).

☒ The Court advised the Defendant(s) of the different pleas *he* could enter to the charge(s) set forth in the Information and of the statutory time, not less than one day, *he* could take before entering *his* plea(s).

☒ Upon the request of the Defendant(s) _____

the Court continued this matter for entry of plea(s) to 3:30 P.M., *Jan 8/75*.

Statutory time waived by Defendant(s) _____

In answer to the Court, Defendant(s) _____

entered a plea of "Not Guilty".

There being no objection by Defendant(s), the Court set this case for trial before the Court and a Jury at 9:00 A.M., _____

In answer to the Court, Defendant(s) _____

entered a plea of "Guilty".

Defendant(s) _____ sworn and examined as a witness in own behalf and for information of the Court.

The Court accepted the Defendant(s) _____

plea of "Guilty".

The Court set aside Defendant(s) _____

plea of "Guilty" and directed the Clerk to enter a plea of "Not Guilty" on behalf of Defendant(s) _____

☒ Notice of Intention to Rely on the Defense of Mental Disease or Defect Excluding Responsibility. Appointment of psychiatrist re evaluation of the Defendant taken under advisement.

Statements by Counsel. Pre-sentence requested.

☐ The Court ordered a Pre-sentence report and continued this matter to 3:30 P.M., _____ for said report.

☒ Defendant remanded to the custody of the Sheriff of Ada County.

Defendant continued on Bond.

Defendant continued on own recognizance.

Reporter: Michele Bartlett

Approved by:

Clerk: lr

Dated: December 4, 1974

A. E. Hagan
District Judge

Page 2

Case No. 2165 State vs. Creech

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

HON. J. RAY DURTSCHI
District Judge

JANUARY Term 19 75

January 8, 1975

Date

COURT MINUTES

The State of Idaho)

vs Plaintiff -)

Thomas Eugene Creech)

No. V.C. CR 2165

Defendant -

MURDER IN THE FIRST DEGREE (I.C. 18-4001 and 18-4003) Felony

Appearances:

Robert H. Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

Defendant present and appearing in custody of the Ada County Sheriff.

10:00 a.m., Counsel and defendant stipulated to further arraignment being held in Ada County and there was no objection to change of time from 3:30 p.m., this date.

This case continued to this date for entry of plea.

In answer to the Court, defendant entered a plea of 'not guilty' to CT I and CT II.

Psychiatric report not completed.

Defendant waived right to speedy trial.

There being no objection by the defendant, the Court set this case for trial before the COURT AND A JURY AT 10:00 A.M., MAY 20, 1975 for four (4) days in Valley County.

All preliminary motions to be filed by April 30, 1975 and hearing on said motion to be heard at 2:00 p.m., May 7, 1975 in Valley County.

No objections defendant was remanded to the custody of Ada County Sheriff or upon order of the Court.

Reporter: John Gambee

Approved by:

Clerk: Marya

Dated: January 8, 1975


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

HON. J. RAY DURTSCHI
District Judge

SEPTEMBER Term 19 74

January 8, 1975

Date

COURT MINUTES

The State of Idaho

vs

Plaintiff -

Thomas Eugene Creech

Defendant -

Case No. _____ Inst. No. _____
Filed _____ A.M. _____ P.M.

No. V.C. 2165 MAR 5 1975

J. W. CRUTCHER, CLERK

By _____ Deputy,

MURDER IN THE FIRST DEGREE (I.C. 18-4001) and 18-4003) Felony

Appearances:

Robert H. Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

There being no objection by defendant, the Court set this case for
trial before the COURT AND A JURY AT 10:00 a.m., MAY 20, 1975 for four
(4) days in Valley County.

cc: above counsel

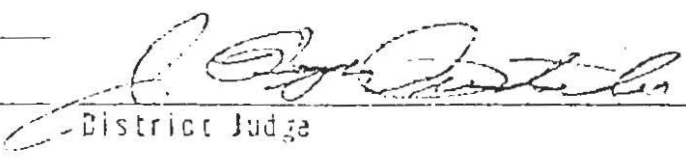
THIS IS YOUR NOTICE
OF TRIAL SETTING

Reporter: John Gamba

Approved by:

Clerk: Marya

Date: January 8, 1975


District Judge

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH,
Defendant.

Case No. Cr. 2165

O R D E R

Case No. 2165 Inst. No. _____
Filed _____ A.M. _____ P.M.

MAR 5 1975

J. W. CRUTCHER, CLERK
By Richard M. Quinn Deputy

A P P E A R A N C E S

For the Plaintiff: ROBERT H. REMAKLUS, Esq.
Prosecuting Attorney
Post Office Box 759
Cascade, Idaho 83611

For the Defendant: WARD HOWER, Esq.
Attorney At Law
Cascade, Idaho 83611

1
2 The Court having received the report of Dr. Michael E.
3 Estes in the above-entitled matter, It is hereby Ordered with
4 respect to said report:

5 1. That the report be filed by the Clerk and
6 copies delivered to the Prosecuting Attorney for Valley County
7 and to Counsel for the defendant.

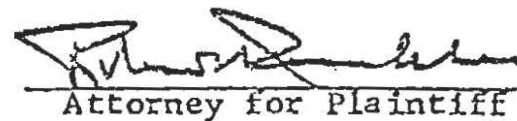
8 2. That the Clerk seal the file copy and not
9 open the same except upon further order of the Court and
10 that no one release the report or divulge the contents of the
11 report to any person except upon further order of the Court.

12 Dated this 4th day of March, 1975.

13
14 
15 District Judge

16
17
18 ACKNOWLEDGEMENT OF SERVICE

19 I hereby acknowledge the receipt of the foregoing
20 Order of the District Court, and the copy of the report of
21 Dr. Estes this 5th day of March, 1975.

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24 Attorney for Plaintiff

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27 Attorney for Defendant

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs
THOMAS EUGENE CREECH,
Defendant.

FILED
MAR 14 1975
Case No. CR. 2165

O R D E R

A P P E A R A N C E S

For the Plaintiff:	Robert H. Remaklus, Esq. Prosecuting Attorney P. O. Box 759 Cascade, Idaho 83611
For the Defendant:	Ward Hower, Esq. Attorney At Law Cascade, Idaho 83611

1
2 It appearing that it is necessary and appropriate that
3 the contents of the report of Dr. Michael E. Estes be revealed
4 to the defendant in this matter and that the order of the
5 Court sealing such report be modified for this purpose:

6 IT IS HEREBY ORDERED, that Ward Hower, Counsel for
7 defendant, may allow the defendant to read the report and
8 discuss the contents with him, without allowing the defendant
9 to retain a copy of the report and with the proviso that the
10 defendant not divulge the contents of the report to any
11 person without the further order of the court.

12 Dated this 14th day of March, 1975.

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15 District Judge
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WARD HOWER, Lawyer
Cascadia, Idaho 83511
Telephone: 382-4250

Case No. 2165 Inst. No. 5
Filed _____ A.M. 3:00 P.M.

APR 4 1975

J. W. CRUTCHER, CLERK
By William M. Rasmussen Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH,
Defendant.

CRIMINAL ACTION #2165.
DEFENDANT'S MOTION FOR
DISCOVERY, and
ORDER

PURSUANT TO I.C.R. 16, the defendant moves the Court for its
ORDER in the form which follows.

ORDER

UPON RECEIVING AND FILING the foregoing MOTION FOR DISCOVERY, and
good cause appearing therefore, it is hereby

ORDERED that the prosecuting attorney will furnish to Ward Hower,
counsel for the defendant, on or before April 18, 1975, the
following materials in writing:

1. The full text of any relevant written or recorded statement
made by the defendant which is within the possession, custody, or
control of the State, the existence of which is known or is avail-
able to the prosecuting attorney by the exercise of due diligence,
and also the substance of any oral statement made by the defendant,
whether before or after arrest, to a peace officer, prosecuting
attorney or his agent;

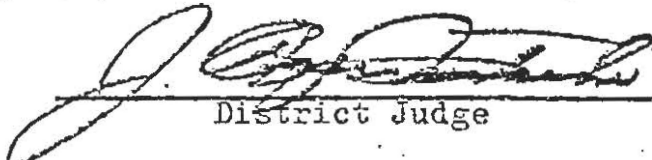
2. Such copy of the defendant's prior criminal record, if
any, as is available to the prosecuting attorney;

3. A listing of each document, photograph and other tangible
object which is in the possession, custody or control of the
prosecuting attorney and which may be material to the preparation
of the defense, or is intended for use by the prosecutor as evidence
at the trial, or which was obtained from or belongs to the defendant,
together with an indication of a time and place at which counsel for
the defendant will be permitted to inspect and photograph each such
object.

Defendants 's Motion for Discovery
and Order

4. A copy of any report of the result of a physical or mental examination (which has not been filed in this cause) or of scientific tests or experiments, made in connection with this case, within the possession, custody or control of the prosecuting attorney, or the existence of which is known or is available to him by the exercise of due diligence.

DATED this 2nd day of April, 1975.


District Judge

I certify that a true copy of the within MOTION and ORDER was delivered personally to Robert E. Perakius on April 2, 1975.



Case No. _____ Inst. No. 6
Filed _____ A.M. 3:50 P.M.

J. W. CRUTCHER, CLERK
By Carroll M. Nichols Deputy.



THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

SUBPOENA—Criminal

TO RICHARD GILLIUM

of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 10th day of April, 19 75.

J. W. CRITCHER
By P. Remondus Clerk
Deputy

STATE OF IDAHO, }
County of _____ } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 17th
day of Aug, 1975, on Richard Gilliam
being the witness named in said Subpoena, at the County of Ada, by showing the
original to Him - Richard Gilliam said witness personally,
and informing Him of the contents thereof.

Dated 20th 11, 1955

Fees \$ _____
Service \$ _____
Mileage \$ _____

Martin J. Maden
County Sheriff

Robert H. Remaklus
P.O. Box 759
Cascade, Idaho 83511
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 7
Filed 11:55 A.M. _____ P.M.

APR 18 1975

J. W. CRUTCHER, CLERK
By Martin J. Maxwell Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,	)	Criminal No. 2165
)	
Plaintiff,	)	STATE'S RESPONSE TO COURT
	)	ORDER
vs.)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
	*)	
	*)	
	*)	

Pursuant to Defendant's Motion for Discovery and Order
thereon dated April 2, 1975, the following information has
been furnished on this date to Ward Hower, Public Defender,
Attorney for the defendant Thomas Eugene Creech, to-wit:

I STATEMENTS

1. Voluntary statement of Tom Creech, dated November 8, 1974, hand written together with type written transcript thereof.
2. Interview-F. LaMarr Heyrend and Thomas Creech dated December 12, 1974.
3. Statement of William S. Hill, Glenns Ferry, Idaho Police Department, dated November 8, 1974.
4. Statement of George M. Menzek, Glenns Ferry, Idaho Police Department, dated November 8, 1974.
5. Statement of Valley County Deputy Sheriff Martin J. Maxwell, dated November 5, 1974.
6. Transcript of taped statement made March 7, 1975, by the defendant to Ken Matthews and Ada County Sheriff Chuck Palmer at the Ada County jail, Boise, Idaho, together with letter, dated April 16, 1975 from Mr. Matthews.
7. Portland, Oregon detectives Carl Tercek and Emil Bladow will testify to a conversation with the defendant at the Valley County jail at Cascade, Idaho in the presence of Ward Hower, Public Defender at which time a tape recording was made, which tape recording is in possession of such detectives at Portland, Oregon, and the contents of which are well known to Mr. Hower.
8. Ada County, Idaho Sheriff Chuck Palmer and State Investigators A.R. Mason and Wesly Woodall, will testify to various conversations with the defendant wherein the defendant

freely admitted killing Edward Thomas Arnold and John Wayne Bradford and various other persons.

II PRIOR CRIMINAL RECORD

1. NCIC - Criminal History Summary
2. Transcript of record / Bureau of Criminal Identification and Investigation, London, Ohio, with finger prints and certificate dated April 15, 1975.
3. Arrest record dated August 9, 1967, June 25, 1968 and December 2, 1968, Fairfield, Ohio.
4. Letter dated November 13, 1974 from Adult Parole Authority, Columbus, Ohio, with warrant of arrest attached.

III EXHIBITS

1. Sketch of death scene prepared by Valley County Deputy Sheriff Martin J. Maxwell.
2. Valley County Sheriff's communication log sheets dated November 5th and November 6th 1974.
3. Report of FBI lab dated December 3, 1974, setting forth objects to be introduced into evidence, all of which objects are in possession of the Sheriff of Valley County Idaho, at the Valley County Court House, Cascade, Idaho, which items may be inspected and photographed by counsel for defendant at the Valley County Court House at 3:00 P.M. Friday April 18, 1975 or at such other time that may be convenient to defense counsel.
4. 1955 Buick automobile, VIN-7B 4056 337, in possession of the Valley County, Idaho Sheriff which may be inspected and photographed by counsel for defendant at the Valley County fairgrounds, at 3:00 P.M. Friday April 18, 1975 or at such other time that may be convenient to defense counsel.
5.
 - (a) One large black purse
 - (b) Documents identifying Thomas Creech
 - (c) A letter to Joyce from Wayne
 - (d) Identifying documents of Joseph Carl Adams
 - (e) One blanket and one sleeping bag which bodies were covered with
 - (f) One large sixteen inch piece of asphalt
 - (g) Six foot long board
 - (h) Box of .22 caliber shells
 - (i) Blades of grass, blood covered from death scene
 - (j) Photographs of death scene taken by Brion Miller, Valley County, Idaho Deputy Sheriff.
 - (k) Photographs of death scene taken by Valley County, Idaho Deputy Sheriff Martin J. Maxwell.
 - (l) Photographs taken by A.R. Mason, Investigator State Department of Law Enforcement and photographs taken by Gerry Fletcher, State Department of Law Enforcement, all of which were exhibited to defense counsel April 10th 1975.

The foregoing objects may be inspected and photographed by counsel for defendant at the Valley County Court House at 3:00 P.M. Friday April 18, 1975 or at such other time that may be convenient to the defense counsel.


IV REPORTS OF PHYSICAL OR MENTAL EXAMINATION

1. Report of Edward M. Colbach, Jr. M.D. dated December 4, 1974.
2. Report of Guy A. Parvaresh, M.D., P.C. dated April 28, 1974.
3. Record of Post Mortem Examination, by Delbert E. Scott M.D. dated November 6, 1974.
4. Psychiatric report of John T. Clymer, M.D., Tucson, Arizona dated January 3, 1974.
5. Psychiatric report of Dr. Treleaven, M.D. dated April 22, 1974.
6. Psychiatric report of Dr. Weissert, M.D. dated May 28, 1974.

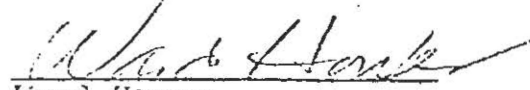
V

All other records and files in the office of the Prosecuting Attorney are available to counsel for the defendant for inspection and copying at any time during regular office hours.

Dated this 13th day of April 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Receipt of copy of foregoing State's Response to Court Order acknowledged this 13th day of April 1975.


Ward Hower
Attorney for Defendant

Case No. 2165 Inst. No. 7
Filed AM 1/10 P.M.

J. W. CRUTCHER, CLERK
By Pauline M. Deason Deputy

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

SUBPOENA—Criminal

TO WILLIAM SCHREIBER

of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

J. W. CRUTCHER
By J. W. Crutcher Clerk
Deputy

STATE OF IDAHO. }
County of Nez Perce } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 20th
day of April, 1975, on William Schreiber
being the witness named in said Subpoena, at the County of Noz Perce, by showing the
original to William Schreiber said witness personally,
and informing him of the contents thereof.

Dated April 20, 1975

Fees \$.....
Service \$.....
Mileage \$.....

Walt Fleitman Deputy
Subpoena-William Schreiber

Case No. _____ Inst. No. 8
Filed _____ A.M. 1:41 P.M.

J. W. CRUTCHER, CLERK
By Richard M. Dean Deputy

SUBPOENA—Criminal

Walter H. Spaulding
Subpoena- Martha Spaulding

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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH,
Defendant.

Case No. Cr. 2165

ORDER FOR PRODUCTION OF
PRISONER

Case No. _____ Inst. No. 10
Filed 10:15 A.M. _____ P.M.

APR 30 1975

J. W. CRUTCHER, CLERK

By Pauline M. Brown Deputy

1
2 It appearing from the motion of the defendant that Carol
3 Spaulding will be a necessary and material witness in the
4 trial of the above action and that she is an inmate of the
5 Idaho State Penitentiary;

6 IT IS THEREFORE ORDERED That the Valley County Sheriff
7 bring the said Carol Spaulding from the penitentiary to the
8 above entitled Court in the Valley County Courthouse in
9 Cascade, Idaho, on Tuesday, the 20th day of May, 1975, and
10 retain her in his custody until her presence as a witness is
11 no longer needed;

12 IT IS FURTHER ORDERED That at such time as the presence
13 of the said Carol Spaulding is no longer needed the Sheriff
14 shall return said Carol Spaulding to the custody of the
15 Idaho State Penitentiary;

16 IT IS FURTHER ORDERED That the Idaho State Board of
17 Correction release the said Carol Spaulding to the Valley
18 County Sheriff for the purpose of the aforementioned appearance
19 and retake her into custody from the Sheriff upon her return
20 to the penitentiary.

21 Dated this 24th day of April, 1975.

22
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24 District Judge
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I hereby certify that a copy of the Order for Production of Prisoner was delivered to the Sheriff of Valley, Cascade, Idaho, and a copy was mailed to the Board of Corrections at Boise, Idaho, on the 30th day of April, 1975.

J. W. CRUTCHER, Clerk

By *Pauline M. Bason*
Deputy

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 19
Filed _____ A.M. 1:45 P.M.

APR 30 1975

J. W. CRUTCHER, CLERK
By Pauline M. Quinn Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs.	)	STATE'S SECOND RESPONSE TO
	)	DISCOVERY ORDER
THOMAS EUGENE CREECH,)	
)	
Defendant. * * * *)	

Comes now Robert H. Remaklus Prosecuting Attorney of
Valley County, Idaho and in further response to the Courts
Discovery Order states as follows:

I STATEMENTS

1. The defendant Thomas Eugene Creech made a recorded and a video tape statement to Charles Palmer Sheriff of Ada County Idaho and A.R. Mason Investigator for the State of Idaho, Department of Law Enforcement on Monday, April 28th 1975. Which such video tape and recorded statement are in the possession of the Sheriff of the Ada County Idaho in Boise, Ada County Idaho and are available to defense counsel for viewing and listening purposes at any time during regular office hours of the said Ada County Sheriff. A full text of the recorded statement of said defendant will be furnished to defendant's counsel as soon as the same has been transcribed.
2. The following named police officers will testify that the defendant Thomas Eugene Creech, while in custody at the Ada County Jail, at Boise, Idaho, at various times since the 9th day of November, 1974, until the present, has made oral statements to them, the substance of which in that said defendant killed various other persons in the States of Washington, Oregon, California, New Mexico, Wyoming, and Montana, to wit:

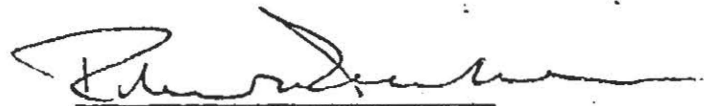
Charles Palmer, Sheriff of Ada County,
Idaho, Ada County Court House, Boise, Idaho

Wesley Woodall, Investigator State Department
Law Enforcement, Weiser, Idaho

A.R. Mason, Investigator State Department
of Law Enforcement, Boise, Idaho

Martin J. Maxwell, Deputy Sheriff Valley
County Idaho, Cascade, Idaho

Dated this 30th day of April 1975.



Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Receipt of copy of State's Second Response to
Court Order acknowledged this 30th day of April
1975.



Ward Hower
Attorney for Defendant

Case No. _____ Inst. No. 12
Filed _____ A.M. 2:59 P.M.

J. W. CRUTCHER, CLERK
By Wm. M. Brown Deputy

SUBPOENA--Criminal

Wm. J. Ward

Case No. _____ Inst. No. 17
Filed _____ A.M. 4:15 P.M.

SHERIFF'S RETURN

MAY 02 1975

SHERIFF'S OFFICE
COUNTY OF ELMORE
STATE OF IDAHO

} SS:

J. W. CRUTCHER, CLERK
By Pauline M. Quinn Deputy

I, EARL WINTER, Sheriff of the County of Elmore, do hereby certify that I received the within hereunto annexed SUBPOENA on the 29th day of April 19 75, and personally served the same upon WILLIAM HILL, the within named Witness, by delivering to and leaving with the said Witness, personally, in the County of Elmore, State of Idaho, on the 30th day of April, 19 75, a true copy of said SUBPOENA. I also showed the original SUBPOENA to the said Witness.

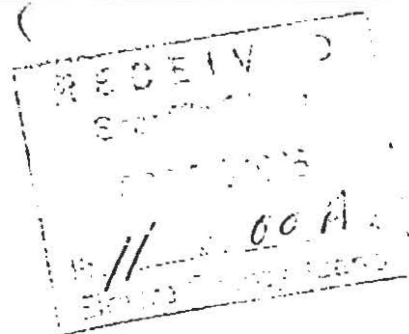
Dated: 1st day of May, 1975

State Case: NO fees

EARL WINTER, Sheriff
Elmore County, Idaho.

By Alice C. Thompson
Deputy Sheriff

ROBERT H. REMAKLUS
P. O. Box 759
Cascada, Idaho 83611
Telephone (208) 322-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH

Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To WILLIAM HILL

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascada in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 11 day of April, 19 75.

J. W. CRUTCHER

Clerk

By R. Remaklus

Deputy

STATE OF IDAHO,

County of Valley ss.

I HEREBY CERTIFY That I served the within Subpoena on the _____
day of _____, 19____, on _____
being the witness _____ named in said Subpoena, at the County of _____, by showing the
original to _____ said witness _____ personally,
and informing _____ of the contents thereof.

Dated _____, 19____.

Fees _____ \$ _____

Service _____ \$ _____

Mileage _____ \$ _____

Case No. _____ Inst. No. 15
Filed _____ A.M. 4:16 P.M.

MAY 02 1975

SHERIFF'S RETURN

J. W. CRUTCHER, CLERK
By William M. Bunker Deputy

SHERIFF'S OFFICE
COUNTY OF ELMORE
STATE OF IDAHO) SS:

I, EARL WINTER, Sheriff of the County of Elmore, do hereby certify that I received the within hereunto annexed SUBPOENA on the 29th day of April, 19 75, and personally served the same upon GEORGE M. MENZIK, the within named Witness, by delivering to and leaving with the said Witness, personally, in the County of Elmore, State of Idaho, on the 30th day of April, 19 75, a true copy of said SUBPOENA. I also showed the original SUBPOENA to the said Witness.

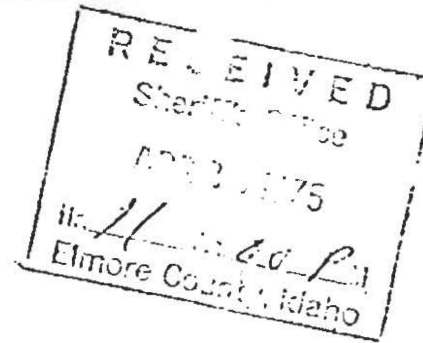
Dated: 1st day of May, 1975

State Case: No fees

EARL WINTER, Sheriff
Elmore County, Idaho

By Alvin Chenchain
Deputy Sheriff

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To GEORGE M. MENZIK

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 11 day of April, 19 75.

J. W. CRUTCHER

Clerk

By R. H. Remaklus
Deputy

STATE OF IDAHO, }

ss.

County of _____

I HEREBY CERTIFY That I served the within Subpoena on the _____
day of _____, 19____, on _____
being the witness _____ named in said Subpoena, at the County of _____, by showing the
original to _____ said witness _____ personally,
and informing _____ of the contents thereof.

Dated _____, 19____.

FeesS _____
ServiceS _____
MileageS _____

WARD HOWER, Lawyer
Cascade, Idaho 83511

Telephone: 382-4250

Case No. 2165 Inst. No. 13
FILED 11:30 AM

J. W. CRUTCHER, CLERK
By Carol M. [unclear]

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH,
Defendant.

CRIMINAL ACTION #2165
MOTION and ORDER FOR
PRODUCTION OF WITNESS

* * * * *

COMES NOW the defendant, by and through the undersigned public defender for Valley County, Idaho, his attorney of record, and moves the Court for its ORDER requiring the State Board of Correction to produce Carol Spaulding before this Court to give testimony as a witness for the defendant at the trial of this cause, as set out hereafter. The undersigned counsel certifies that the said Carol Spaulding is a witness to facts material to the defense, and that she is now a prisoner confined in jail or prison under the custody of the said Board.

Ward Hower
Ward Hower, attorney for the defendant

O R D E R

UPON READING AND FILING THE FOREGOING MOTION, and good cause appearing therefor, it is by the Court ORDERED, that the State Board of Correction will produce Carol Spaulding to give testimony as a witness for the defendant at the trial of this cause in the Courtroom of this Court in the Valley County Courthouse in Cascade, Idaho, on Tuesday, the 20th day of May, 1975, at ten o'clock in the morning of such day.

IT IS FURTHER ORDERED that the Clerk of this Court will give prompt notice of the entry of this ORDER to the State Board of Correction and to the prosecuting attorney of Valley County by regular mail, with the fact of such mailing noted in the docket.

DATED this ____ day of April, 1975.

District Judge

I certify that a true copy of the foregoing MOTION and ORDER FOR PRODUCTION OF WITNESS was duly mailed to Robert H. Remaklus, attorney for the Plaintiff, at Box 759, Cascade, Idaho 83611, this 23rd day of April, 1975.

Ward Hower
Ward Hower, attorney for the defendant

Case No. _____ Inst. No. 16
Filed _____ Adm. 4/15/75 P.M.

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

MAY 18 1975

J. W. CRUTCHER, CLERK
By Robert H. Remaklus Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165 .
)	
vs.	)	STATE'S THIRD RESPONSE
)	
THOMAS EUGENE CREECH,	)	TO DISCOVERY ORDER
)	
Defendant.	*) * *	

Comes now Robert H. Remaklus Prosecuting Attorney of
Valley County, Idaho and in further response to the Courts
Discovery Order states as follows:

I STATEMENTS

1. Transcript of taped statement taken from the defendant Thomas Eugene Creech at the Valley County Court House Cascade, Idaho, November 9, 1974, in the presence of Ward Hower, Valley County Public Defender, by Detectives Carl Tercek and Emil F. Bladow referred to in item seven of Section I, Statements of the State's first response to discovery order.
2. Transcript of taped interview held April 15, 1975, at the Ada County, Idaho, jail by Captain Ray Froelich, Missoula, Montana Sheriff's Department.
3. Transcript of taped interview held April 16, 1975, at the Ada County, Idaho, jail by Captain Ray Froelich, Missoula, Montana Sheriff's Department.

II PRIOR CRIMINAL RECORD

(Nothing added)

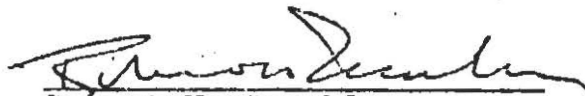
III EXHIBITS

1. Plastic fragments from interior dome light of 1955 Buick automobile, VIN-7B 4066 337, which fragments were located at death scene.

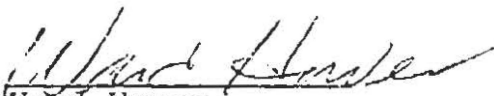
IV REPORTS OF PHYSICAL OR MENTAL EXAMINATION

1. Record of Post Mortem examination of body of Edward Thomas Arnold, by Delbert E. Scott, M.D. dated November 7, 1974.

Dated this 6th day of May, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Receipt of copy of State's Third Response to Court Order acknowledged this 6th day of May, 1975.


Ward Hower
Attorney for Defendant

Case No. 2165 Inst. No. 17
Filed 11:40 A.M. P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 836111

J. W. CRUTCHER, CLERK
By John W. Crutcher Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs	)	PETITION TO COMPEL ATTENDANCE
)	
THOMAS EUGENE CRBEECH,	)	OF OUT OF STATE WITNESS
)	
Defendant.)	
	*)	

COMES NOW Robert H. Remaklus, Prosecuting Attorney
of Valley County, Idaho, and does hereby petition the
above entitled Court as follows:

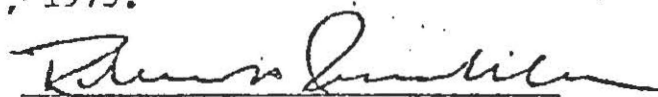
1. That trial of the above entitled matter, being
a criminal prosecution upon two counts of murder in the
first degree, is now pending and trial proceedings will
commence Tuesday, May 20, 1975, at ten o'clock A.M.

2. That Steven Paul Rivers is a material witness
for the State of Idaho in said cause and resides at 912
West University Park Way, Baltimore, Maryland, a State
wherein provision is made by law to command persons to
attend and testify in criminal prosecutions.

WHEREFORE, it is requested that a Certificate be
issued affirming the necessity of said person as a witness
and authorizing that he be directed by a Judge of Court

of record in the State of Maryland, County of Baltimore,
to appear and attend such trial for a period of not less
than two (2) days.

Dated this 5th day of May, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Case No. 2165 Inst. No. 16
Filed 11/24/ A.M. P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

J. W. CRUTCHER, CLERK
By Robert H. Remaklus Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,	)	Criminal No. 2165
)	
Plaintiff,	)	Certificate Under Uniform Act
	)	to Secure Attendance of Witness
vs	)	(Idaho Code Section 19-3005)
THOMAS EUGENE CREECH,)	
)	
Defendant. * *))	

Petition having been filed herein by Robert H. Remaklus,
Prosecuting Attorney for Valley County, State of Idaho,
pursuant to Idaho Code Section 19-3005, that one Steven Paul
Rivers be directed and authorized to appear and attend the
trial in the above entitled matter, on May 22nd and May 23rd,
1975, and it appearing that said witness is material and nec-
essary to the prosecution;

It is hereby certified that Steven Paul Rivers be dir-
ected by Judge of a Court of record of Baltimore County, State
of Maryland, to appear and attend the trial in the above en-
titled matter, in which trial testimony will commence at Ten
o'clock A.M. on May 22nd, 1975, and that said witness shall
be required to attend such trial for a period of not less than
two (2) days.

IT IS FURTHER ORDERED that said witness will be tendered
mileage and daily allowance provided by law and statutes of the
State of Idaho.

ENTERED this 5 day of May, 1975.


District Judge

Case No. 2165 Inst. No. 17
Filed 11/12 A.M. _____ P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 392-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

J. W. CRUTCHER, CLERK
By Robert H. Remaklus Deputy


IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)
)
Plaintiff,)
)
vs)
)
THOMAS EUGENE CREECH,)
)
Defendant. * * *)

Criminal No. 2165
PETITION TO ADVANCE FEES

Robert H. Remaklus, Prosecuting Attorney of Valley
County, Idaho, requests the above entitled Court to direct
its Clerk to advance \$311.47 as mileage fees, together with
attendance fees in the sum of \$16.00, for out of State wit-
ness required to testify in the trial of the above cause;
said witness resides at 912 W. University Park Way, Balti-
more, Maryland, and the law provides for \$.25 cents per mile;
said witness will be required for two (2) days and the law
provides for attendance fees at the rate of \$8.00 per day.


Dated this 5th day of May, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

O R D E R

Upon the above Petition and good cause appearing, IT
IS ORDERED that the Clerk of the above entitled Court shall
advance the sum of \$327.47 to Steven Paul Rivers, to be forth-
with delivered as advance witness fees and mileage, to secure
the attendance of said person as a witness in the above en-
titled action from 912 West University Park Way, Baltimore,
Maryland.

Dated this 5th day of May, 1975.


District Judge

Case No. _____ Inst. No. _____
Filed _____ A.M. _____ P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (203) 4270

J. W. CRUTCHER, CLERK
By James H. Haffner Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs.	)	Motion for Production of
)	
THOMAS EUGENE CREECH,	)	Witness
)	
Defendant.)	
)	

* * *

Comes now Robert H. Remaklus Prosecuting Attorney of
Valley County, Idaho and moves this Honorable Court for an
order to produce one Carol Spaulding as a material witness
in the trial of the above entitled action, from the Idaho
State Penitentiary at Boise, Idaho where in she is an
inmate.

This motion is made and based upon the Affidavit
attached hereto.

Dated this 7th day of May, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

MAY 27 1975

J. W. CRUTCHER, CLERK
By J. W. Crutcher Deputy

A F F I L A V E T

Robert H. Remaklus, being first duly sworn on upon oath,
deposes and says:

That Carol Spaulding an inmate in the Idaho State Penitentiary Boise, Idaho is a necessary and material witness for the State in the above entitled action in that said Carol Spaulding was present at and a witness to the offenses charged in the information on file herein.

Notary Public for Idaho
Residing at: Cascade

Case No. _____ Inst. No. 21
Filed _____ A.M. 11 P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

J.W. CRUTCHER, CLERK
By [Signature] Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
)
THOMAS EUGENE CREECH,)
)
Defendant. *) *

Criminal No. 2165
ORDER FOR PRODUCTION OF
PRISONER

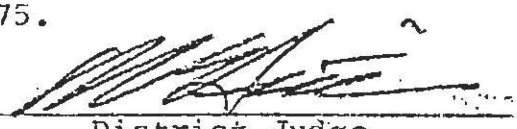
It appearing from the Motion and Affidavit of Robert H. Remaklus Prosecuting Attorney in and for the County of Valley, State of Idaho, that Carol Spaulding will be a necessary and material witness in the trial of the above entitled action and that she is an inmate of the Idaho State Penitentiary:

IT IS THEREFORE ORDERED That the Valley County Sheriff bring the said Carol Spaulding from the penitentiary to the above entitled Court in the Valley County Courthouse in Cascade, Idaho, on Tuesday, the 20th day of May, 1975, and retain her in his custody until her presence as a witness is no longer needed;

IT IS FURTHER ORDERED That at such time as the presence of the said Carol Spaulding is no longer needed the Sheriff shall return said Carol Spaulding to the custody of the Idaho State Penitentiary;

IT IS FURTHER ORDERED That the Idaho State Board of
Correction release the Said Carol Spaulding to the Valley
County Sheriff for the purpose of the aforementioned appearance
and retake her into custody from teh Sheriff upon her return
to the penitentiary.

Dated this 7th day of May, 1975.


District Judge

Case No. _____ Inst. No. 22
Filed _____ A.M. 1:15 P.M.

MAY 07 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

J. W. CRUTCHER, CLERK
By W. H. Hower Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs.	)	ADDENDUM TO
	)	STATE'S THIRD RESPONSE
THOMAS EUGENE CREECH,)	
	)	TO DISCOVERY ORDER
Defendant.)	
	*)	

Comes now Robert H. Remaklus Prosecuting Attorney of Valley County, Idaho and states that on the 6th day of May, 1975, the information contained in the States Third Response to Discovery Order was furnished to Ward Hower Public Defender, attorney for the above named defendant and said Prosecuting Attorney does hereby further advise the Public Defender that the plastic fragments found from the interior dome light of the 1955 Buick automobile, VIN-7B 4056 337, located at the death scene, are in the possession of the Valley County Sheriff and may be photographed and inspected by the Public Defender at the Valley County Sheriff's office at any time during regular office hours of such Sheriff or at any other time convenient to defense counsel and said Sheriff.

Dated this 7th day of May, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Receipt of copy of Addendum to
State's Third Response to Discovery
Order acknowledged this 7th day of
May, 1975.

Ward Hower
Ward Hower
Attorney for Defendant

Addendum to State's Third Response
to Discovery Order

Case No. _____ Inst. No. 2165
Filed 8:57 A.M. _____ P.M.

MAY 08 1975

ROBERT H. REMARLUS
P.O. Box 759
Cascadia, Idaho 83611
Telephone (208) 382-4270

J. W. CRUTCHER, CLERK
By [Signature] Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,	)	Criminal No. 2165
)	
Plaintiff,	)	SUPPLEMENTAL ORDER TO
)	
vs.	)	ADVANCE WITNESS FEES
)	
THOMAS EUGENE CREECH)	
)	
Defendant.)	
	*)	

IT IS HEREBY ORDERED that the Clerk of the above entitled Court shall advance the sum of Twenty Dollars (\$20.00) to Steven Paul Rivers, to be forthwith delivered as advance witness fees and mileage, in addition to the fees and mileage heretofor ordered to be advanced to said Steven Paul Rivers, to secure the attendance of said person as a witness in the above entitled action from 912 West University Park Way, Baltimore, Maryland.

Dated this 8th day of May, 1975.

[Signature]
District Judge

015687

MAY 14 1975

J. W. CRUTCHER, CLERK
By Wm. J. Crutcher Deputy

MAY 9 1975

THE STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH

Defendant.

Case No. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To ANN BRADLEY

YOU ARE COMMANDED To appear before the District Court

of the _____ Judicial District, in and for the County of _____ Valley _____, at the court
room in the Court House, in _____ Cascade _____ in said County, on the _____ 20th _____
day of _____ May, 1975 _____ at 10:00 _____ o'clock _____ A. M., as a witness in a criminal action
prosecuted by the State of Idaho, against _____ THOMAS EUGENE CREECH _____

Given under my hand this 6th day of July, 1975.

J. W. CRUTCHER, CLERK

By: Robert M. Liscio Clerk
Deputy

STATE OF IDAHO. }
County of Ada } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 12th
day of May, 1975, on Anne Bradley
being the witness named in said Subpoena, at the County of Rich, by showing the
original to Anne Bradley said witness personally,
and informing her of the contents thereof.

Dated 5-12-75, 1975

Fees\$.....
Service\$.....
Mileage\$.....

[Signature]

015399

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 31
Filed _____ A.M. 11:13 P.M. ✓

MAY 14 1975

J. W. CRUTCHER, CLERK
By Robert H. Remaklus Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To MICHAEL E. ESTESS, M. D.

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 11 day of April, 1975.

J. W. CRUTCHER Clerk
By R. Remaklus Deputy

STATE OF IDAHO, }
County of Ada } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 7
day of May, 1975, on Michael E. Estess
being the witness named in said Subpoena, at the County of Ada, by showing the
original to him said witness personally,
and informing him of the contents thereof.

Dated 5/7, 1975.

Fees\$
Service\$
Mileage\$

A. D. Bailey
5/2/75

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 36
Filed _____ AM. 4:12 PM.

MAY 14 1975

J. W. CRUTCHER, CLERK
By [Signature] Deputy

015400
RECEIVED
MAY 1 1975

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To F. LeMAR HEYREND, M. D. 376-2472

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 11 day of April, 1975.

J. W. CRUTCHER

Clerk

By [Signature]

Deputy

STATE OF IDAHO.

County of Valley

ss.

I HEREBY CERTIFY That I served the within Subpoena on the 7
day of May, 1975, on F. LeMar Heyrend
being the witness named in said Subpoena, at the County of Valley, by showing the
original to him said witness personally.

Informing him of the contents thereof. LYLE V. F. WOLD, MARSHAL

Dated 5/7 1975. JUDICIAL DISTRICT
BOISE, IDAHO 83702

Fees _____ \$

Service _____ \$

Mileage _____ \$

By [Signature]

DEPUTY MARSHAL

Date 5/7/75

ROBERT H. REMARKUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 29
Filed _____ A.M. 4:11 P.M.

MAY 14 1975

J. W. CRUTCHER, CLERK
By John M. Brown Deputy

015102
RECEIVED
MAY 1 1975

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,
vs.
THOMAS EUGENE CREECH
Plaintiff,
Defendant.

CASE NO: 2165
SUBPOENA--Criminal

THE STATE OF IDAHO

To LORING BEALS 374-0364

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A. M., as a witness in a criminal action
prosecuted by the State of Idaho, against _____

Given under my hand this 11 day of April, 19 75.

J. W. CRUTCHER
Clerk
By R. Remarkus
Deputy

STATE OF IDAHO }
County of Valley } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 6
day of May, 1975 on Loring Beals
being the witness named in said Subpoena. at the County of Valley, by showing the
original to him said witness personally,
and informing him of the contents thereof.

Dated 5/6, 19 75
Fees \$
Service \$
Mileage \$

LYLE V. ARNOLD, MARSHAL
FOURTH JUDICIAL DISTRICT
BOISE, IDAHO 83702

By C. D. Bailey
DEPUTY MARSHAL
5/6/75

ROBERT H. REMAKIUS
P. O. Box 758
Cascadia, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. 28
Filed _____ A.M. 1:15 P.M.

MAY 14 1975

J. W. CRUTCHER, CLERK
By [Signature] Deputy

15401
RECEIVED
MAY 1 1975

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,
Plaintiff,
vs.
THOMAS EUGENE CREECH
Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To DR. DELBERT E. SCOTT 375-7972

Dr. Delbert E. Scott
375-7972

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascadia in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 11 day of April, 19 75.

J. W. CRUTCHER

Clerk

By [Signature]

Deputy

STATE OF IDAHO. }
County of _____ } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 6
day of May, 19 75 on Dr. Delbert E. Scott
being the witness named in said Subpoena, at the County of Valley, by showing the
original to him said witness personally,
and informing him of the contents thereof.

Dated 5/6, 19 75.

Fees \$
Service \$
Mileage \$

LYLE V. ARNOLD, MARSHAL

FOURTH JUDICIAL DISTRICT
BOISE IDAHO 83702

By [Signature]

DEPUTY MARSHAL

Date 5/6/75

Case No. _____ Inst. No. 37
Filed _____ A.M. 3:59 P.M.

J. W. CRUTCHER, CLERK
By Wm. H. Quinn Deputy

RECEIVED
MAY 1 1975

THE STATE OF IDAHO,
Plaintiff,
vs:
THOMAS EUGENE CREECH
Defendant.

SUBPOENA—Criminal

To ALVIN R. MASON

of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

By J. W. CRUTCHER Clerk
W. P. ... Deputy

I HEREBY CERTIFY That I served the within Subpoena on the 5
day of May, 1975, on Alvin R. Mason
being the witness named in said Subpoena, at the County of Ada, by showing the
original to him said witness personally,
and informing him of the contents thereof. LYLE V. ARNOLD, MARSHAL

LYLE V. ARNOLD, MARSHAL
FOURTH JUDICIAL DISTRICT
BOISE, IDAHO 83702

By G. S. Bailey
DEPUTY MARSHAL
Date 5/5/71

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

015397

Case No. _____ Inst. No. 26
Filed _____ A.M. 3:55 P.M.

MAY 14 1975

J. WOODCRUTCHER, CLERK
By Richard W. Dwyer Deputy

RECEIVED
MAY 1 1975

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR
THE COUNTY OF VALLEY

THE STATE OF IDAHO,

Plaintiff,

vs.

THOMAS EUGENE CREECH

Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To CHARLES PALMER, ADA COUNTY SHERIFF

YOU ARE COMMANDED To appear before the District Court

of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975, at 10:00 o'clock A.M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH.

Given under my hand this 11 day of April, 19 75.

J. W. CRUTCHER

By R. Dwyer

Clerk

Deputy

STATE OF IDAHO }

County of Cada }

ss.

I HEREBY CERTIFY That I served the within Subpoena on the
day of April, 19 75 on Charles Palmer
being the witness named in said Subpoena, at the County of Ada, by showing the
original to him said witness personally,
and informing him of the contents thereof.

Dated 5/1/75 19 75

Fees _____ \$
Service _____ \$
Mileage _____ \$

LYLE V. HANOLD, MARSHAL
FOURTH JUDICIAL DISTRICT
BOISE, IDAHO 83702
By A. Dwyer
DEPUTY MARSHAL
Date 5/1/75

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. _____ Inst. No. _____
Filed _____ A.M. 3:00 / P.M.

MAY 12 1975

J. W. CRUTCHER, CLERK
By Richard W. Crutcher Deputy.

THE STATE OF IDAHO,
Plaintiff,
vs.
AS EUGENE CREECH Defendant.

CASE NO. 2165

SUBPOENA—Criminal

THE STATE OF IDAHO

To Emil Bladow

YOU ARE COMMANDED To appear before the District Court

of the 4th Judicial District, in and for the County of Valley, at the court
room in the Court House, in Cascade in said County, on the 20th
day of May, 1975 at 10:00 o'clock A. M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 30th day of April, 1975.

805

J. W. C.

Clerk

By S/Bartho L. Eitem

Deputy

STATE OF IDAHO, }
County of _____ } ss.

I HEREBY CERTIFY That I served the within Subpoena on the 8th
day of MARCH, 1975, on EMIL BLADWILL
being the witness named in said Subpoena, at the County of _____, by showing the
original to EMIL BLADWILL said witness _____ personally,
and informing _____ of the contents thereof. ROBERTA ANN P. D

Dated _____, 19____

Fees \$ _____
Service \$ _____
Mileage \$ _____

Det. Carl Thorsell

Case No. 911-3 Inst. No. 2-3
Filed 11:55 A.M. P.M.

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 392-4270

MAY 16 1975

J. W. CRUTCHER, CLERK
By W. H. Hower Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs.	)	STATE'S FOURTH RESPONSE
)	
THOMAS EUGENE CREECH,	)	TO DISCOVERY ORDER
)	
Defendant.	*)	

Pursuant to Defendant's Motion for Discovery and Order thereon dated April 2, 1975, the following information has been furnished on this date to Ward Hower, Public Defender, Attorney for the defendant Thomas Eugene Creech, to wit:

1. Notes of interview with Lorin G. Beals, Toxicologist at St. Alphonsus Hospital, Boise, Idaho, disclosing results of blood and urine screenings of victims.
2. Photographs of death scene, taken by Investigator Wesley Woodall.

The foregoing objects may be inspected and copied by counsel for defendant at the Valley County Sheriff's office any time during regular office hours.

Dated this 16th day of May, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney

Receipt of copy of State's Fourth Response to Discovery Order acknowledged this 16th day of May, 1975.

Ward Hower
Ward Hower
Attorney for Defendant

States Fourth Response to
Discovery Order

Case No. 2165 Sub. No. 49
Filed _____ Ass. _____ P.M.

MAY 19 1975

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

J. W. CRUTCHER, CLERK
By Ward Hower Deputy

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No. 2165
)	
vs.	)	STATE'S FIFTH RESPONSE
)	
THOMAS EUGENE CREECH,	)	TO DISCOVERY ORDER
)	
Defendant.	*)	

Pursuant to Defendant's Motion for Discovery and Order thereon dated April 2, 1975, the following information has been furnished on this date to Ward Hower, Public Defender, Attorney for the defendant Thomas Eugene Creech, to wit:

Laboratory Report of Ann R. Bradley, Forensic Chemist dated April 28, 1975, photocopy of which is attached hereto.

Dated this 19th day of May, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney

Receipt of copy of State's Fifth Response to Discovery Order acknowledged this 19th day of May, 1975

Ward Hower
Ward Hower
Attorney for Defendant

Forensic Laboratory
2120 Warm Springs Avenue
Boise, Idaho 83702
Telephone 208 384-2231
May 15, 1975

LAB. NO. 8013

CASE 1835

On April 28, 1975, at 1645 hrs., Bud Mason of the Dept. of Liquor Law and Criminal Investigations delivered to this laboratory two large evidence envelopes. They were placed in the safe prior to analysis.

Case No. 1835 City N.A. Date 4/28/75 Agency Requesting
Analysis Valley County Prosecutor Defendant Thomas Eugene Creech

LABORATORY

On May 7, 1975, at 1625 hrs., I began the analysis on this case.

Envelope #1 Enclosed was a piece of grey cardboard of irregular shape. It had brown streaks and patches of brown solid material on it.

Envelope #2 Enclosed was a clear plastic envelope with pieces of dried dark brown solid, shiny material.

Tests Used: Benzidine test for blood
Immunodiffusion for species
Lattes crust for ABO group
Adsorption-elution for ABO group

Conclusion: I examined this evidence using the tests listed and concluded that the material on the cardboard in Envelope #1 was very probably blood, but the species origin and A,B,O group could not be determined. Envelope #2 contained human blood, group A.

I replaced the remainder of this evidence in the respective envelopes and resealed them.

STATE OF IDAHO }
County of Ada } s.s.

On this date, before me, Ann R. Bradley
who is known to me to be the person whose
signature is affixed to this document has subscribed
and sworn to the foregoing laboratory report as
accurate and true to the best of his knowledge.

Ann R. Bradley
Notary Public for the State of Idaho

My Commission Expires 7-30-77 -70-

Ann R. Bradley
ANN R. BRADLEY, Forensic Chemist

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

HON. J. PAV DURTSCHI
District Judge

MAY Term 19 75

Date May 19, 1975

COURT MINUTES

The State of Idaho
Plaintiff -

vs

Thomas Eugene Creech

Defendant -

No. CR V.C. 2165

MURDER IN THE FIRST DEGREE

Appearances:

Robert Remaklus
Prosecuting Attorney

Counsel for State

Lynn E. Thomas
Deputy Attorney General

Ward Hower
Public Defender

Counsel for Defendant

Defendant present and appearing in custody of the Valley County Sheriff.

:45 p.m., Court informed counsel and defendant of two letters received from defendant re/obtaining new counsel.

Statement by Defendant.

The Court denied defendant request for new counsel.

Statement by Counsel for State re/defendants' ability to proceed with trial and requested Court admonish defendant if he takes the witness stand not to inform jury of incompetent counsel.

Court denied request.

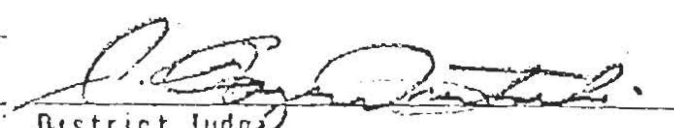
:15 p.m., Court in recess.

Reporter: John Garbee

Approved by:

Clerk: Mary

Dated: May 19, 1975


District Judge

THOMAS F. LEECH
2000 2515
2000 2515
(2570)

HONORABLE JUDGE MERON A. COLESTER
4TH DISTRICT COURT
BOISE, IDAHO

March 31, 1975
Monday

Honorable Sir,

I would like to have
a hearing on getting me before counsel
appointed to me. David Hous is my present
attorney right now. He is a Public Defender,
from Tully County. The only time I have
seen him is at court, which the last time
was Jan, 3, 1975. I don't know what is
happening on my case + I don't even have a
copy of my charges. On one occasion I had
a hearing, I was arrested if first degree
murder + presently I am in the
state legislature.

This page is not legible, however, we have contacted the
Clerk's Office in Shoshone County, counsel for the Appellant,
and counsel for the Respondent as well as Judge Durtschi's
office and was not able to locate a more legible copy.
Clerk's Office

April 23, 1975

Dear Sir:

I have written to you several times trying to get a hearing for a new lawyer. The lawyer that I have now is Ward Hower from Valley County. Sir, he is prejudice against my case and me personally. He hasn't done anything for me at all since I've been here. In fact I've only seen him about five times and that was in court three of those five times. He has also stated to me that he will not try to keep me from getting sent to the other states. I'd really appreciate it if you can help me.

Respectfully,

Thomas E. Creech

/s/ Thomas E. Creech

Case No. _____ Inst. No. _____
Filed 9:50 A.M. _____ P.M.

MAY 20 1975

J. W. CRUTCHER, CLERK
By: John B. Deane Deputy.

THE STATE OF IDAHO,
Plaintiff,

vs.

Defendant.

SUBPOENA—Criminal

THE STATE OF IDAHO

To CHEN KRAHN

YOU ARE COMMANDED To appear before the District Court
of the 4th Judicial District, in and for the County of VALLEY, at the court
room in the Court House, in CASCADE in said County, on the 20th
day of MAY, 1975 at 10:00 o'clock A. M., as a witness in a criminal action
prosecuted by the State of Idaho, against THOMAS EUGENE CREECH

Given under my hand this 26th day of July, 1975.

17. 11. 1941

By S/Pauline M. Bisom Clerk
Deputy

STATE OF IDAHO. }
County of Blaine } ss.

I HEREBY CERTIFY That I served the within Subpoena on the John Kralin
day of May, 1975, on _____
being the witness _____ named in said Subpoena, at the County of Valley, by showing the
original to John Kralin said witness _____ personally,
and informing _____ of the contents thereof.

Dated 15.10.75, 19 75

Fees \$ _____
Service \$ _____
Mileage \$ _____

R. A. Baker
Constable

AFFIDAVIT OF SERVICE, ((

65

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO

vs.

THOMAS EUGENE CREECH

STATE OF OREGON,
Multnomah County,

} ss.

Case No. _____ Inst. No. 36
Filed _____ A.M. 1:20 P.M.

MAY 22 1975

J. W. CRUTCHER, CLERK
By Pauline M. Brown Deputy.

I, V. L. Larson, being first
duly sworn, upon my oath depose and say:

That I am, and at all of the times hereinafter mentioned was, a duly and regularly
appointed, qualified and acting Deputy Director Department of ~~Justice~~ ^{Justice Service} of Multnomah County,
State of Oregon, and authorized by law to serve process in said county and state; that I am, and at all of the
times mentioned was, a citizen of the United States and of the State of Oregon, a resident of the City of Portland,
county and state aforesaid, over the age of twenty-one years, not a party to, nor interested in, the within entitled
action, nor related to any party thereto, and competent to be a witness therein:

That I received the _____ copies of the ~~Subpoena~~ ^{Subpoena}
~~and Complaint~~ for service in the above-entitled court and cause on the 1st day of May, 1975

Subpoena
That I served the said ~~Subpoena and Complaint~~ ^{Subpoena} in the above-entitled court and cause
on the 15 day of May, 1975
at 10175 SW Barber
at 5415 SW Westgate Dr; Portland, Or. # 207
in Multnomah County and State of Oregon on the 1st day of May, 1975
Edward M. Colbach, M.D.

by then and there delivering to and leaving with

Edward M. Colbach, M.D.

Subpoena
personally and in person, a copy of the said ~~Subpoena and Complaint~~ ^{Subpoena} to a copy of the said ~~Complaint~~ ^{Complaint}

Subscribed and sworn to before me this 19th day
of May, 1975.

Pauline M. Brown
Notary Public for Oregon, residing at Portland
with commission expiring October 6, 1978

MAY 22 1975

J. W. CRUTCHER, CLERK
[Signature] Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,

Plaintiff,

vs

THOMAS EUGENE CREECH,

Defendant.

Case No. 2165.

MOTION AND ORDER FOR
CONFINEMENT IN IDAHO COUNTY JAIL

* * *

COME NOW, Derold E. Kynskey, Sheriff of Valley County, Idaho and moves this Honorable Court for an order confining the above named defendant, Thomas Eugene Creech, in the Idaho County, Idaho, Jail pending final determination of this action upon the ground and for the reason that it is for the safety and to the best interests of such defendant;

That such Sheriff is possessed of certain information which leads him to believe that an attempt may be made upon the life of such defendant by third persons, thereby endangering the lives and well being of the general public, and specifically Courthouse employees of Valley County, Idaho, and the Sheriff's Department;

WHEREFORE, such Sheriff prays that such an order be made and that such order shall provide for transportation of said defendant between the Idaho County Jail and any locations required in the further prosecution of this action.

DATED this 22d day of May, 1975.


[Signature]
Sheriff of Valley County, Idaho

O R D E R

Upon reading and filing the foregoing Motion and good cause appearing therefor,

IT IS HEREBY ORDERED that the above named defendant, Thomas Eugene Creech, shall be confined in the Idaho County, Idaho, jail during the pendency of this action and that the Sheriff of Valley County, Idaho, is hereby ordered to transport such defendant between the Idaho County Jail and any locations required in the further prosecution of this action.

DATED this 22d day of May, 1975.


DISTRICT JUDGE

Judge Refuses Creech Request for New Attorney on Eve of Trial

By KEN MATTHEWS
The Idaho Statesman

request for a change of attorney by mas Eugene Creech was rejected today by Fourth District Judge J. Durtschl, according to the public defender Creech sought to replace. Ward Hower, Cascade, said the decision was made at a special hearing conducted at an undisclosed location, in Creech's presence. Hower is the solitary public defender in Valley County, where Creech faces

trial beginning this morning on two first degree murder charges.

The secrecy surrounding Monday's proceeding is known to be part of a larger plan, which includes the posting of armed guards at Cascade, to insure the safety of protagonists in the murder trial.

According to Hower, Durtschl found no reason why Creech did not have adequate legal representation. Added the man who will defend Creech, "I feel perfectly competent."

Sources earlier have told The Idaho Statesman Creech submitted a letter to the court seeking Hower's removal several weeks ago.

Also at Monday's hearing, Valley County Prosecutor Robert Remaklus asked the court to rule on entry of an order on whether Creech was able to aid and assist his counsel in his defense.

Judge Durtschl ruled a state law bearing on such an entry was not applicable.

Appointed at an earlier date by the court to perform a psychiatric examination was Boise psychiatrist Dr. Michael Estess. While the finding by Estess is not known, sources say the psychiatrist has completed the evaluation.

The defendant is accused of the shotgun slayings Nov. 5 of John Wayne Bradford, 40, formerly of Brownsboro, Ala., and Edward Thomas Arnold, 34, formerly of Lancaster, Tex.

Bodies of the two men were found

covered with blankets and dirt Nov. 6 in a ditch beside Highway 44 near Donnelly. Creech and his girlfriend, Carol Spaulding, Lewiston, were apprehended Nov. 8 at Glens Ferry.

Creech also is charged with a murder in Portland and another at Salem, Ore. He is known to have implicated himself in other murders, including one near Baggs, Wyo., and another near Las Vegas.

One key witness at the trial at Cascade is expected to be Creech's girl-

friend, Miss Spaulding, now 18, earlier had been charged along with Creech in the Idaho murders.

Those charges later were reduced, and Miss Spaulding was convicted as an accessory and sentenced to two years at the Idaho State Penitentiary.

She is being transported back to Idaho from Nevada, where all were prisoners at the Idaho prison were transferred, due to inadequate space.

The girl is about eight months pregnant.

Creech Murder Trial Begins Tuesday in Cascade

By KEN MATTHEWS
The Idaho Statesman

Thomas Creech goes on trial Tuesday on two counts of murder after sitting for the past several months in an Ada County jail cell where he spent hundreds of hours talking to police officials about murders throughout the west.

Creech is charged with the slayings of two men last November. The partially-buried bodies were discovered Nov. 6 in a ditch near Donnelly in Valley County. The trial will take place in the county seat of Cascade.

The murder victims were identified as John Wayne Bradford, 40, formerly of Brownsboro, Ala., and Edward Thomas Arnold, 34, formerly of Lancaster, Texas.

Creech, 24, and his girlfriend, Carol Spaulding, who then was 17, were captured Nov. 8 at Glenns Ferry after an areawide police alert broadcast their descriptions.

When Glenns Ferry policeman Jim Hill spotted Creech, Miss Spaulding, and another man three days later, they hesitated when they saw him, and then ran off. The police officer detained them after the girl returned to the restaurant where they were spotted to buy coffee.

Both Creech and Miss Spaulding initially were charged with the Idaho murders.

Murder charges against Miss Spaulding later were dropped and she pleaded guilty of a felony accessory charge.

Miss Spaulding is expected to be a key witness at the Cascade murder trial.

Ward of Creech's arrest brought an immediate request from Oregon officials, who said he was also wanted for the murders of an Astoria man and a Salem grocery clerk.

Portland police said Creech had been a sexton at the St. Mark's Episcopal Church there, but had disappeared im-

Thomas Creech



mediately after the shootings of William James Dean of Astoria and Sandra Jane Ruimsamoo of Salem.

Less than two weeks after his arrest, Creech was transferred from Cascade to the Ada County Jail in Boise, where he was placed in the custody of Sheriff E. C. Palmer.

In the weeks that followed, Palmer

reportedly received several contacts from other law enforcement officers who were seeking information about unsolved murders in their areas.

Based on a tip from Creech, the body of Gordon Lee Stanton, 44, Las Vegas, was unearthed on the desert Nov. 26 along U.S. 95 near Mercury, Nev. Las Vegas authorities began investigating the possibility the slaying had been a murder contract.

Later, they discounted the possibility of a hired killing, even though Stanton had been a union organizer, and had attempted to unionize Las Vegas casino employees.

On Feb. 15, sheriff's deputies in Wyoming unearthed another body on a reported tip from Creech, this time about eight miles north of Baggs at a spot called Cottonwood Draw. The victim later was identified as Riegley Stewart McKenzie, 22.

A curtain of official silence then fell over the Creech case, despite rumors

that Creech's involvement in additional murders was being investigated.

The official "no comment" was broken May 3 when Sheriff Palmer called a news conference to announce an airplane with Creech aboard had crash-landed two days before near Squaw Valley, Nev., during a flight to California where officials were looking for bodies in an abandoned mineshaft.

All aboard were unharmed, but had a narrow escape during the landing.

Palmer said the party had seen for eight bodies in an area "honeycombed with mines," but had been unsuccessful. He said he felt bodies are buried somewhere in the area.

The sheriff admitted the airplane trip with Creech was not the first such mission undertaken, although he said it might well be the last.

The trial before Fourth District Judge J. Ray Durtsche is expected to last more than a week.

5/19/75

Prosecutor Expects Difficult Job in Creech Trial

By TIM WOODWARD
The Idaho Statesman

CASCADE — This village of 633 residents is the kind of place visitors from cities might call a sleepy, mountain town. Its winter slumber, however, is about to end.

Activity is quickening in preparation for the annual fishing derby next week. A \$500 prize will be given to the man who catches the largest or kokoi salmon.

Competing for attention with the fishing derby is an event unusual for Cascade — the double murder trial of Eugene Creech.

The trial, which begins Tuesday, is expected to attract a small army of city officers, reporters and interested on-lookers.

The deaths of Edward Arnold and Bradford were the first murders in Valley County in 27 years, according to County Prosecutor Robert H. Remaklus.

Remaklus, who describes his position as a full-time job with part-time pay, says the Creech case may be the most difficult he has ever prosecuted.

Judy
Judy



"It's going to be a difficult grind," he said. "We have a story to tell and it'll be tedious to get it all told."

Remaklus wants the trial to be over by next weekend, when the fishing derby gets underway.

"It's not fair to the jurors or the defendant to have a three-day (Memorial Day weekend) break," he said.

A key to how long the trial will last is the amount of time it takes to empa-

nel 14 Valley County residents for a jury (12 jurors and two alternates).

Although Remaklus is confident a jury can be assembled within two days, others aren't so sure. One is County Sheriff Derold Lynskey.

Asked how the residents of Cascade feel about Creech, the sheriff replied, "That's why it's gonna be hard to get a jury."

Lynskey is one person in Cascade who isn't doing much slumbering these days. His is the unenviable task of maintaining security during the trial, and the job has him worried.

"I don't sleep nights," he said. "I sleep two or three hours, then get up and come down to the office. There's no reason to be here, but all I can think about is the office. When you get right down to it, I think it all comes back to this Creech thing. I'll just be glad when it's all over."

The sheriff said news stories saying Creech was transferred to the Ada County jail because the one in Cascade "wouldn't hold him" are wrong. Lynskey needed to hire a 24-hour guard at Cascade, so instead he opted to pay

Ann Marie
Huntington



Ada County a \$5-a-day boarding fee, he said. The jail in Ada County is guarded 24 hours a day as normal procedure.

Lynskey won't say where Creech will be kept during the trial, or where Fourth District Judge J. Ray Dartschi of Boise will stay during the proceedings.

He is equally tight-lipped about courtroom security precautions, except to say the courtroom will be strictly guarded and access tightly limited to

those who have advance permission to attend the trial.

The courtroom seats an audience of 50 to 60 people. A fair share of those seats presumably will be occupied by reporters.

Cascadians' thoughts about the trial vary.

"Everybody's talking about it," said one man. "Personally, I think they oughta take Creech out and shoot him."

Ann Marie Huntington said she "didn't really know anything about it."

About all that ever happens in Cascade is a good bar brawl."

Judy Judy said "a lot of people are interested in the trial, especially in being on the jury."

She said she thought it would be difficult to find an unbiased jury.

Jim Godfrey said no one in Cascade is "too awful pleased with his (Creech's) actions," but saw no difficulty in finding a jury.

Diana Simpson said everyone in Cascade is excited about the trial.

Why?

"Well, not much happens in Cascade. Something like this is pretty big news around here."

Jim
Godfrey



Several people questioned on the streets of Cascade did not comment because they said they didn't know much about the Creech affair.

A local bartender, however, said Creech was a topic of "common conversation" among his clientele.

One man said he hadn't had time to follow the case.

"I'm more interested in fishin'," he said. "That's the big thing around here."

On Trip to Hunt Bodies

Creech Plane Crash Lands

By KEN MATTHEWS
The Idaho Statesman

Ada County Sheriff E. C. "Chuck" Palmer said Monday an airplane with multiple murder suspect Thomas Eugene Creech aboard crash landed Sunday at Squaw Valley, Nev.

Palmer said the airplane trip which preceded the crash had been to a mining area near Bakersfield, Calif., where eight bodies of homicide victims allegedly are buried.

No one was injured in the crash landing, the sheriff said.

Palmer also acknowledged for the first time that Creech, 24, had been transported from the Ada County jail on previous occasions in attempts to locate bodies of murder victims in other states.

The Bakersfield, Calif., airplane trip, which commenced Friday, was at the

request of the Bakersfield Sheriff's Department, and included two days of futile search through mineshafts, Palmer said.

Palmer said the airplane was forced down through cloud cover at 14,500 feet, and a crash landing became necessary when Sgt. Tom Taylor of the Ada County Sheriff's Department, quit breathing.

"It was either put it down where we could work on him, or let him die," Palmer said.

Creech did not make any attempts to escape during the incident and is safely back in custody at the Ada County jail, the sheriff added.

The murder suspect is charged with the deaths of two travelers Nov. 5 near Donnelly, and comes to trial May 20 at Cascade on two charges of first degree murder.

Creech also has been charged with a

murder in Portland and another at Salem, Ore.

Other information from Creech has led to the unearthing of bodies near Baggs, Wyo., and Las Vegas, Nev.

Palmer said Monday he was convinced there are eight bodies near Bakersfield where Creech said there are eight bodies. Questioned by newsmen, however, he said only three of the persons allegedly buried have been listed as missing.

When asked whether Creech claimed to have killed the eight persons allegedly buried in the mines, Palmer said, "They were not all his."

He refused, however, to name other persons implicated.

He also refused to identify how many persons Creech claims to have killed in total, calling such a figure "pure speculation" at this point in investigations.

As to Creech's alleged motive, Palmer said there was "a lot of narcotics involved," but when pressed by newsmen, he would say nothing further.

Palmer said the area where searches were conducted over the weekend was "honeycombed with mines," which all were "quite alike." He also said there are "many cave-ins" in the area.

"I feel like there probably are bodies there," he said.

The sheriff said Bakersfield authorities are continuing the search.

Palmer said the airplane was flying over a mountain range in Nevada when Taylor, the deputy, "ran out of oxygen." He said it was necessary to land in a valley, rather than attempt to negotiate another range of mountains.

The plane was a Cessna 210 with six seats, and other passengers included an investigator from the Idaho Depart-

ment of Law Enforcement and pilot Tom Ambrose, Boise.

The sheriff said the only place to land besides the sagebrush was a muddy road covered with puddles, and the pilot also was plagued by crosswinds.

Palmer called it a "fantastic job of flying," even though the plane was "extensively damaged" when its nose flipped up in the air as it landed.

Taylor was pulled to safety and revived, and was reported in good condition Monday in Boise.

Palmer said the party aboard the airplane waited for four hours in the mud before a rescue plane arrived to carry them to safety. He said their location had been known through radio communications.

Asked whether Creech again would be transported out-of-state, Palmer said, "This is probably the last one we will make."

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA VALLEY

WON. J. RAY DUPTSCH
DISTRICT JUDGE

MAY Term 19 75

May 20, 1975

Date

COURT MINUTES

The State of Idaho
Plaintiff -

vs

Thomas Eugene Creech

Defendant -

Ng. V.C. CR 2165

MURDER IN THE FIRST DEGREE (I.C. 18-4001) and (18-4003) Felony

Appearances:

Robert Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

Defendant present and appearing in custody of the Valley County Sheriff.

9:00 a.m., Time scheduled for trial in above entitled case. Counsel and defendant present.

In absence of Jury Panel, Counsel for defendant objected to Deputy Prosecuting Attorney, Mr. Lynn Thomas, of State of Idaho, assisting in trial for County Prosecutor.

Court overruled defendant's objection.

Counsel for defendant moved for assistant public defender and moved for vacating trial for 30 days to familize counsel with trial.

Court denied defendant's motion and limited Mr. Thomas to consulting only.

9:30 a.m., Jury entered Court Room.

Poll call of 93 jurors, with all present except Patricia J. Borchardt and Edith Wilkerson, Steven Thomas, Matt Luoma, Thelma Jarvis who were not served and Alfred Nitzel who was excused by Court. Two jurors, Joan Carter and Hazel Yoken were present but names were not on the Jury list.

All jurors sworn on voir dire. Prosecuting Attorney made a statement for the purpose of voir dire and introduced Counsel and Court personnel.

The Court advised the defendant that if he desired to challenge any juror, he must do so before the jury is sworn to try the case.

Before names were drawn from the jury box, the Court admonished the full jury panel and excused them to remain at the V.F.W. Hall until name is drawn.

9:55 a.m., Jury excused.

In absence of the jury panel the Court informed Counsel and defendant that four newspaper articles which are hereby made a part of the record, three of which

appeared on May 18, 19, 20, 1975, immediately prior to the trial were highly prejudicial and inflammatory, contained incriminating matters that would be inadmissible in evidence, and seriously threaten to affect the outcome of the trial; and that the Court is of the opinion that there is a significant possibility that individual jurors will be ineligible to serve because of exposure to this material. Therefore the Court on its own motion will require that examination of each juror with respect to his exposure to pre-trial publicity shall take place outside the presence of other prospective jurors. Counsel for defendant concurred and joined in requesting the proposed procedure. No objection by Counsel for the State.

The Clerk drew the following jurors from the jury box and each such juror was examined as to exposure to pre-trial publicity out of the presence of other prospective jurors:

Wray Simmons examined and excused for cause.

Dorothy M. Basy, examined.

Earl F. Dodds, examined.

Jack Yensen, examined.

Helen Hardin excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Thelma Evans excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Isle Lewis, examined.

2:10 p.m., Patricia J. Borchardt entered Court room and sworn on voir dire. Court admonished and excused this juror to report to the V.F.W. Hall.

2:15 p.m., Court in recess for NOON. Court to reconvene at 1:15 p.m., this date.

1:25 p.m., Court reconvened. All present.

Patricia J. Borchardt excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Sandra K. Durk examined.

John Durbin excused for cause and directed to return June 5, 1975 at 10:00 a.m., for further jury duty.

John R. Laur excused for cause and directed to return June 5, 1975 at 10:00 a.m., for further jury duty.

Clifford Roberts excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

J. H. Johnson examined.

Roy O. West excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Shirley Brown examined.

Carolyn Sien examined.

Claude Williams excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Fred A. Clezacorta excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Duane Allen examined.

Shirley G. Allen examined.

Chester Matthews excused for cause and due to health problems was excused permanently.

Beth Phillips excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

Sharon Gibbens examined.

Wilma Murphy examined.

Martha Noyes drawn, but not examined.

2:50 p.m., Brief recess.

3:10 p.m., Court reconvened. All present.

Martha Noyes name slip previously drawn but not examined was replaced in jury box.

The following twelve jurors were examined on further voir dire for cause:

- (1) Dorothy Basy (2) Earl Dodds (3) Jack Yensen (4) Isle Lewis
- (5) Sandra Durk (6) J. H. Johnson (7) Shirley Brown (8) Carolyn Sien
- (9) Duane Allen (10) Shirley Allen (11) Sharon Gibbens (12) Wilma Murphy

The State of Idaho
vs
Thomas Eugene Creech

V.C. 2165

May 20, 1975

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4:05 p.m., Court admonished and excused jury panel for brief recess.

4:15 p.m., Court reconvened. All present.

In absence of jury panel peremptory challenges proceeded as follows with replacement jurors being examined for cause out of the presence of other prospective jurors:

Juror #3, Carolyn Sien challenged as State's 1st peremptory challenge.
(Cindy R. Smith drawn as replacement.)

Juror #4, Iole Lewis challenged as defendant's 1st peremptory challenge
(Jeannette M. Seetin drawn as replacement.)

Juror #4, Jeannette Seetin excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.
(Donald L. Fuller drawn as replacement.)

Juror #4, Donald L. Fuller excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.
(Hazel Yoken drawn as replacement.)

Juror #4, Hazel Yoken excused for cause and for personal hardship was
excused permanently.

5:04 p.m., All jurors and panel returned to Open Court. Court advised jury that
panel had not been completed and admonished panel and excused them until 9:30
a.m., May 21, 1975.

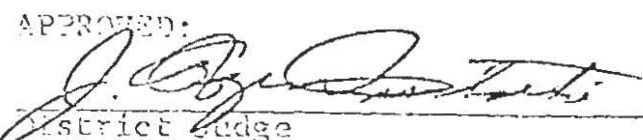
5:10 p.m., Edith P. Wilkerson sworn on voir dire at this time and was admonished
by Court.

In absence of jury panel, Counsel for State requested information re/proceedure

5:15 p.m., Court in recess.

Court excused George Takeuchi and Gary D. Young because of their involvement
with transportation of evidence in case.

REPORTER: John Gambee
CLERK: Marva
DATE: May 20, 1975

APPROVED:

District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAM VALLEY

EDM. J. RAY DURTSCHI
DISTRICT JUDGE

MAY Term 19 75

May 21, 1975

Date

COURT MINUTES

The State of Idaho)
vs Plaintiff -)
Thomas Eugene Creech)
Defendant -)

No. CR V C 2165

~~MURDER IN THE FIRST DEGREE (I.C. 13-4001 and 13-4002) Felony~~

Appearances:

Robert Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

9:30 a.m., Further jury trial continued from May 20, 1975. All present.
Defendant present and appearing in custody of Valley County Sheriff.

Peremptory challenges proceeded as follows:

(Louise K. Bears drawn as replacement.)

Juror #1, Dorothy M. Basy challenged as State's 2d peremptory challenge.
(Shirley Brandenburg drawn as replacement.)

Juror #1, Shirley Brandenburg excused for cause and directed to return
June 5, 1975 for further jury duty.
(Mary Lou Droge drawn as replacement.)

Juror #3, Jack D. Yensen challenged as defendant's 2d peremptory challenge
(Robert O. Williamson drawn as replacement.)

Juror #3, Robert O. Williamson excused for cause and directed to return
June 5, 1975 for further jury duty.

10:50 a.m., Brief recess.

11:00 a.m., Court reconvened. All present.

(Del Woodward drawn as replacement.)

Juror #8, Cindy R. Smith challenged as State's 3d peremptory challenge
(Patricia Whitaker drawn as replacement.)

Juror #8, Patricia Whitaker excused for cause and directed to return
June 5, 1975 at 10:00 a.m., for further jury duty.
(Sharon Corbin drawn as replacement.)

Juror #12, Wilma Murphy challenged as defendant's 3rd peremptory challenge
(William J. Godfrey drawn as replacement.)

Juror #12, William J. Godfrey excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.

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V.C. 2165

May 21, 1975

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(Harold Bolt drawn as replacement.)
Juror #4, Louise Bears challenged as State's 4th peremptory challenge.
(Alice Ange drawn as replacement.)

12:15 NOON RECESS. Court will reconvene at 1:15 p.m., this date.

1:18 p.m., Court reconvened. All present. Defendant present and appearing in custody of the Valley County Sheriff.

Juror #6, J. H. Johnson challenged as defendant's 4th peremptory challenge.
(Wesley Knee drawn as replacement.)

Juror #7, Shirley H. Brown challenged as State's 5th peremptory challenge. (Janice Lynn Wilde drawn as replacement.)

Juror #4, Alice Ange challenged as defendant's 5th peremptory challenge
(Ina Heinrich drawn as replacement.)

1:54 p.m., Baliff informed Court and there were no objections the Court excused Ted Miampa for health reasons.

Juror #4, Ina Heinrich excused for cause and directed to report June 5, 1975 for further jury duty.

2:32 p.m., Brief recess.

2:48 p.m., Court reconvened. All present.

Juror #10, Shirley Allen challenged as State's 6th peremptory challenge
(Robert Farnsworth drawn as replacement.)

Juror #1, Mary Lou Droge challenged as defendant's 6th peremptory challenge.
(James Madden drawn as replacement.)

Juror #1, James Madden excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.
(Jo Anne Cole drawn as replacement.)

Juror #1, Jo Anne Cole excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.
(Wilma Ingebretsen drawn as replacement.)

Juror #1, Wilma Ingebretsen excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.
(Frank Smalley drawn as replacement.)

Juror #7, Janice Lynn Wilde challenged as State's 7th peremptory challenge.
(Joan Carter drawn as replacement.)

Juror #7, Joan Carter excused for cause and directed to report at 10:00 a.m., June 5, 1975 for further jury duty.

4:04 p.m., Brief recess.

4:14 p.m., Court reconvened. All present.

(Clyde Barlow drawn as replacement.)

Juror #7, Clyde Barlow excused for cause and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.
(Patricia L. Gillet drawn as replacement.)

Juror #5, Sandra Durk challenged as defendant's 7th peremptory challenge.
(Maureen Fuller drawn as replacement.)

Maureen Fuller was excused on stipulation of Counsel.

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vs
Thomas Eugene Creech

V.C. 2165

May 21, 1975

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(Alfred Nitzel drawn as replacement.)

4:49 p.m., Alfred Nitzel sworn on voir dire at this time.

Juror #5, Alfred Nitzel excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.
(Betty Gestrin drawn as replacement.)

Juror #5, Betty Gestrin excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.
(Ruth Mason drawn as replacement.)

5:05 p.m., Ruth Mason sworn on voir dire at this time and Court admonished
juror.

5:19 p.m., Brief recess.

5:43 p.m., Court reconvened. All present.

Jury panel returned to Open Court and there being no objections, after a
short recess, Court will continue and reconvene at 6:15 p.m.

5:45 p.m., Court in recess.

6:25 p.m., Court reconvened. All present.

Court informed Counsel that during recess Clifford Fields was excused
because of a hearing problem.

State's 8th Peremptory Challenge waived.

Juror #5, Ruth Mason challenged as Defendant's 8th Peremptory
Challenge.
(Carol J. Petersen drawn as replacement.)

Juror #5, Carol J. Petersen excused for cause and directed to
report June 5, 1975 at 10:00 a.m., for further jury duty.

(Stan Scharen drawn as replacement.)

Juror #5, Stan Scharen excused for cause and was permanently
excused from further jury duty because Juror will be out of County.

(Linda Allen drawn as replacement.)

Counsel stipulated and there being no objections Linda Allen was excused
and directed to report June 5, 1975 at 10:00 a.m., for further jury duty.

(Bertha Fouch drawn as replacement.)

Juror #5, Bertha Fouch excused for cause and directed to report
June 5, 1975 at 10:00 a.m., for further jury duty.
(Sherman Hart drawn as replacement.)

State's 9th Peremptory Challenge waived.

Juror #4, Richard Wheeler challenged as defendant's 9th peremptory
challenge.
(David Gehrig drawn as replacement.)

State's 10th peremptory challenge waived.

Juror #1, Frank Smalley challenged as Defendant's 10th peremptory
challenge.
(Paul Wilde drawn as replacement.)

The Court found this case to be a protracted case and Counsel stipulated to
drawing two alternate jurors at this time.

The State of Idaho
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May 21, 1975

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Matt Wallace drawn and examined as 1st alternate juror.

State's 1st alternate peremptory challenge waived.
Defendant's 1st alternate peremptory challenge waived.

Barbara Hall drawn and examined as 2d alternate juror.

Barbara Hall excused for cause and directed to report June 5, 1975
for further jury duty at 10:00 a.m.
(Luella Snapp drawn as replacement.)

Luella Snapp excused for cause and directed to report June 5, 1975
at 10:00 a.m., for further jury duty.
(William Davis drawn as replacement.)

William Davis excused for cause and directed to report June 5, 1975
at 10:00 a.m., for further jury duty.
(Betty Stockton drawn as replacement.)

Betty Stockton excused for cause and directed to report June 5, 1975
at 10:00 a.m., for further jury duty.
(Larry Bouck drawn as replacement.)

Larry Bouck excused for cause and directed to report June 5, 1975
at 10:00 a.m., for further jury duty.
(Arnold Branden drawn as replacement.)

State's 2d alternate peremptory challenge waived.
Defendant's 2d alternate peremptory challenge waived.

3:30 p.m., Jury panel returned into open court.

The following jurors were seated to serve on this case:

(1) Paul Wilde (2) Earl Dodds (3) Del Woodward (4) David Gehrig
(5) Sherman Hart (6) Wesley Kne (7) Patricia Guillet
(8) Sharon Corbin (9) Diana Allen (10) Robert Farnsworth
(11) Sharon Gibbens (12) Harold Bolt

First Alternate - Matt Wallace
Second Alternate - Arnold Branden

The Clerk drew the following seven names to report for further jury
duty June 5, 1975, at 10:00 a.m.

(1) Agnes Rowland (2) Jay Sims (3) Beverly Ingraham
(4) Renee Yelton (5) Arthur Hoffman (6) Cynthia Coash
(7) Clifford

The remainder of the panel were then excused.

4:45 p.m., The Court admonished and excused jury and directed them to report at
10:00 a.m., May 22, 1975 for further jury trial

In absence of the jury counsel for defendant moved for change of venue.

Argument

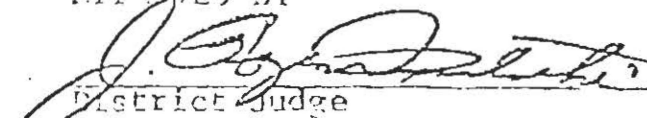
The Court took this matter under advisement and continued hearing to 9:00 a.m.,
May 22, 1975.

Counsel for State questioned and Court informed Counsel that this trial is
open to the public.

1:00 p.m., Court in recess.

REPORTER: John Garbee
CLERK: Marye
Date: May 21, 1975

APPROVED BY


District Judge
Court Minutes

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

HON. J. RAY DERTSCHI
District Judge

MAY Term 1975

May 22, 1975
Date

COURT MINUTES

The State of Idaho

vs Plaintiff -

Thomas Eugene Creech

Defendant -

No. V.C. 2165

MURDER IN THE FIRST DEGREE (I.C. 18-4001 and 18-4003) Felony

Appearances:

Robert Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

Defendant present and appearing in custody of the Valley County Sheriff.

10:00 a.m., Further jury trial continued from May 21, 1975. All present.

In absence of the jury defendant's motion for change of venue was argued.

The Court granted motion for change of venue.

Defendant acknowledged and agreed to later trial date.

Defendant remanded to the custody of the Valley County Sheriff.

Counsel for state made statement re/assistant counsel, and moved for leave to have Mr. Lynn Thomas aid and assist him.

The Court took this matter under advisement.

10:52 a.m., Jury panel returned to Open Court.

Court informed jury that defendant's motion for change of venue had been granted.

Jury panel excused

11:05 a.m., Court in recess.

Reporter: John Garbee Approved by:

Clerk: [Signature]

Dated: May 22 1975

[Signature]
District Judge

EXHIBIT LIST IN CASE NO. CR V.C. 2165The State of IdahoTrial Date May 20, 1975Plaintiff(s)

vs

Thomas CreechDefendant(s)

BY	NO.	DESCRIPTION	STATUS
<i>state</i>	1A	<i>death scene - head found</i>	
	1B	<i>{</i>	
	1C	<i>{</i>	
	1D	<i>{</i>	
	1E	<i>death scene - head found</i>	
	1F	<i>death scene - arnold</i>	
	1G	<i>{</i>	
	1H	<i>{</i>	
	1I	<i>{</i>	
	1J	<i>death scene - arnold</i>	
	1K	<i>death scene - general</i>	
	1L	<i>{</i>	
	1M	<i>{</i>	
	1N	<i>{</i>	
	1O	<i>{</i>	
	1P	<i>{</i>	
	1Q	<i>{</i>	
	2A	<i>photo - death scene - multiple</i>	
	2B	<i>photo - head found</i>	
	2C	<i>photo - arnold</i>	
	2	<i>photo - death scene</i>	
	3A	<i>photo - death scene</i>	
	4	<i>sleeping bag</i>	
	5	<i>blanket</i>	
	6	<i>asphalt</i>	

EXHIBIT LIST IN CASE NO. CR V.C. 2165The State of IdahoTrial Date May 20, 1975

Plaintiff(s)

vs

Thomas Creech

Defendant(s)

BY	NO.	DESCRIPTION	STATUS
<i>State</i>	7	<i>down light fragments</i>	
	8	<i>white - mug</i>	
	9	<i>white - mug</i>	
	10	<i>slug - left front car - Arnold</i>	
	11	<i>slug - found in house - Bradford</i>	
	12	<i>slug - nostril - Bradford</i>	
	13	<i>slug - right chin - Bradford</i>	
	14	<i>teletype - 11-5-74</i>	
	15	<i>teletype - 11-5-74</i>	
	16	<i>teletype - 11-7-74</i>	
	17	<i>synopsis - 12-29-73 - Adair Co. 47845</i>	
	18	<i>mug shot - Arnold 12/29/73</i>	
	19	<i>teletype - 11-11-74</i>	
	20	<i>finger print records - Arnold</i>	
	21	<i>finger print records - Bradford</i>	
	22	<i>pistol</i>	
	23	<i>holster</i>	
	24	<i>long coat - Spaulding</i>	
	25	<i>black bag - Spaulding</i>	
	25A	<i>2 boxes shells from purse</i>	
	26	<i>box 22 shells</i>	
	27	<i>documents found in car</i>	
	27A	<i>litter - to Joyce from Wayne</i>	
	28A	<i>photo - car</i>	
	28B	<i>photo - under driver's seat inside</i>	

EXHIBIT LIST IN CASE NO. CR V.C. 2165The State of IdahoTrial Date May 20, 1975Plaintiff(s)

vs

Thomas CreechDefendant(s)

BY	NO.	DESCRIPTION	STATUS
	28C	blood - car door inside	
	28D	blood - shell casing	
	28E	blood - steering subunit + column	
	28F	blood - right hand door - outside	
	28G	blood - car window	
	29A	car, interior - beer cans - shoes + hair	
	29B	car interior - back seat	
	29C	broken dome light	
	29D	blood - steering subunit + floor	
	29E	beer cans - hood/sunvisor	
	30	dome light	
	31	shell casing - blood	
	32	shirt - hood/floor	
	33	trousers - hood/floor	
	34	underpants - hood/floor	
	35	shirt - hood/floor	
	36	trousers - hood/floor	
	37	underpants - hood/floor	
	38	underpants - hood/floor	
	39	socks - hood/floor	
	40	shoes - hood/floor	
	41	10 live rounds - ammunition	

mary a hill
clerk, etc.

ROBERT H. REMAKLUS
P. O. BOX 759
Cascade, Idaho 83611
Telephone (203) 382-4270
PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

Case No. 2165 Inst. No. _____
Filed _____ A.M. 3:07 P.M.

MAY 30 1975


J. W. CRUTCHER, CLERK
By Richard H. Thomas Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

THE STATE OF IDAHO,	)	CRIMINAL NO. 2165
)	
Plaintiff,	)	PETITION AND ORDER FOR SPECIAL
	)	ASSISTANT PROSECUTOR
VS)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

COMES NOW, Robert H. Remaklus, Prosecuting Attorney
in and for Valley County, Idaho, pursuant to Section
31-2603(b), Idaho Code, and petitions this Honorable Court
for the appointment of Lynn E. Thomas, Deputy Attorney
General of the State of Idaho, to assist in the prosecution
of the above entitled case now pending in the District
Court of the Fourth Judicial District of the State of
Idaho, in and for the County of Valley.

Dated this 12th day of May, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

O R D E R


Upon reading and filing the above petition, good
cause appearing therefor, the Attorney General concurring
herein, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED and this does ORDER that Lynn E. Thomas, Deputy Attorney General of the State of Idaho, is hereby appointed special assistant prosecutor of Valley County, Idaho, to assist in the prosecution of the above entitled action.

Dated this 14th day of May, 1975.


DISTRICT JUDGE

Approved this 15th day of May, 1975.


ATTORNEY GENERAL
STATE OF IDAHO

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT MAY 30 1975
2 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY, CRUTCHER, CLERK
3 By [Signature] Deputy

4
5 THE STATE OF IDAHO,
6 Plaintiff,
7 vs.
8 THOMAS EUGENE CREECH,
9 Defendant.

Case No. Cr. 2165

ORDER TO CLERK
RE EXHIBITS

11
12 It is the order of this Court that the exhibits marked
13 for identification and lodged with the Clerk prior to the
14 commencement of the trial of this matter be retained by the
15 Clerk of the Court and be safeguarded by him pending further
16 proceedings in this matter and until further order of the
17 Court.

18 It is further ordered that the Clerk shall not make the
19 exhibits available to any person or agency except upon order
20 of this Court.

21 Dated this 22nd day of May, 1975.

22
23 [Signature]
24 District Judge
25
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1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
2 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY Case No. 2165 Inst. No. 23 P.

3 MAY 30 1975

4
5 THE STATE OF IDAHO,
6 Plaintiff,
7 vs.
8 THOMAS EUGENE CREECH,
9 Defendant.

Case No. Cr. 2165 J. W. CRUTCHER, CLERK
By *[Signature]* Deputy

ORDER RE PUBLICITY

11
12 Under the Constitution, each defendant is entitled to the
13 due process of the law and to a fair trial. This Court has
14 an affirmative duty to do everything possible within its
15 Constitutional powers and jurisdiction to make certain that
16 each defendant does receive a fair trial.

17 In order to fulfill that Constitutional duty to guarantee
18 that the defendant in this case does receive a fair trial,
19 and because extensive pre-trial publicity of matters highly
20 prejudicial to the defendant which would not have been admissible
21 in the trial of the action has already resulted in a trial in
22 this matter being vacated after its commencement and a
23 determination that the venue of the trial must be changed;
24 and it further appearing to the Court that the further
25 dissemination by any means of public communication of any out-
26 of-court statements relating to this case may further interfere
27 with the Constitutional right of the defendant to a fair trial,
28 disrupt the further efforts to conduct a fair trial, and
29 disrupt the proper administration of justice; the Court, on its
30 own motion, will now issue the following orders, a violation

1 of which will result in any offender within the jurisdiction
2 of this Court being in contempt of court.

3 It is the order of this Court that no party to this action,
4 nor any attorney connected with this case as defense counsel
5 or as prosecutor, nor any officer or employee of the Court,
6 nor any police officer, sheriff, or law enforcement personnel,
7 nor any agent, deputy, or employee of any such persons, nor any
8 person subpoenaed to testify at the trial of this matter,
9 shall:

10 1. Release or authorize the release for public
11 dissemination of any purported extrajudicial statement of the
12 defendant relating to this case;

13 2. Release or authorize the release of any documents,
14 exhibits, or any evidence, the admissibility of which may have
15 to be determined by the Court;

16 3. Make any statement for public dissemination as
17 to the existence or possible existence of any document, exhibit,
18 or any other evidence, the admissibility of which may have to
19 be determined by the Court;

20 4. Express outside of the court an opinion or make
21 any comment for public dissemination as to the weight, value,
22 or effect of any evidence as tending to establish guilt or
23 innocence;

24 5. Make any statement outside of court as to the
25 identity of any prospective witness, or his probable testimony,
26 or the effect thereof;

27 6. Make any out-of-court statement as to the
28 nature, source, or effect of any purported evidence alleged to
29 have been accumulated as a result of the investigation of this
30 matter;

1 7. Make any statement as to the content, nature,
2 substance, or effect of any testimony which may be given in any
3 proceeding related to this matter, except that a witness may
4 discuss any matter with any attorney of record or agent thereof.

5 This order does not include any of the following:

6 1. Factual statements of the accused person's name,
7 age, residence, occupation, and family status.

8 2. The circumstances of the arrest, namely, the time
9 and place of the arrest, the identity of the arresting and
10 investigating officers and agencies, and the length of the
11 investigation.

12 3. The nature, substance, and text of the charges,
13 including a description of the offenses charged.

14 4. Quotations from, or any reference without comment
15 to, public records of the Court in the case, or to other
16 public records.

17 5. The scheduling and result of any stage of the
18 judicial proceeding held in open court in an open or public
19 session.

20 6. A request for assistance in obtaining evidence
21 or the names of possible witnesses.

22 Further, this order is not intended to preclude any
23 witness from discussing any matter in connection with the case
24 with any of the attorneys representing the defendant or the
25 State, or any representative of such attorneys.

26 It is further ordered that a copy of this order be attached
27 to any subpoena served on any witness in this matter, and that
28 the return of service of the subpoena shall also include the
29 fact of service of a copy of this order.

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This order shall be in force until this matter has been
disposed of or until further order of the Court.

Dated this 27th day of May, 1975.


District Judge

In the District Court of the Fourth Judicial District of the
State of Idaho, In and For the County of Ada

The State of Idaho
Plaintiff

vs

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d) I.R.C.P.

Thomas Eugene Creech
Defendant

I, Clarence A. Planting, the undersigned authority, do hereby certify
that I have mailed, by United States mail, one copy of the _____
ORDER RE PUBLICITY

as notice pursuant to Rule 77 (d) I.R.C.P. to each of the attorneys of record in this cause in
envelopes addressed as follows:

Sheriff E. C. (Chuck) Palmer
Ada County Courthouse
Boise, Idaho

Hand Delivered

CLARENCE A. PLANTING
CLERK OF THE DISTRICT COURT
Ada County, Idaho

By Mary A. Hill
Deputy Clerk

MAY 30 1975

J. W. CRUTCHER, CLERK
By William W. Quinn Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff	)	Case No. 2165
-vs-)	
	)	MOTION AND ORDER FOR
THOMAS EUGENE CREECH,	)	CONFINEMENT IN ADA COUNTY JAIL
)	
Defendant.)	

COME NOW, Derold E. Lynskey, Sheriff of Valley County, Idaho, and moves this Honorable Court for an order confining the above named defendant, Thomas Eugene Creech, in the Ada County, Idaho, Jail pending final determination of this action upon the ground and for the reason that it is for the safety and to the best interests of such defendant;

That such Sheriff is possessed of certain information which leads him to believe that an attempt may be made upon the life of such defendant by third persons, thereby endangering the lives and well being of the general public, and specifically Courthouse employees of Valley County, Idaho, and the Sheriff's Department;

WHEREFORE, such Sheriff prays that such an order be made and that such order shall provide for transportation of said defendant between the Ada County Jail and any locations required in the further prosecution of this action.

DATED this 30th day of May, 1975.


Sheriff of Valley County, Idaho

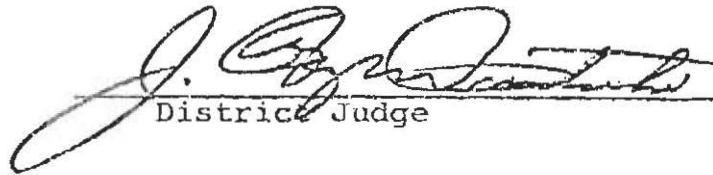
Motion and Order for Confinement in
Ada County Jail

O R D E R

Upon reading and filing the foregoing Motion and good cause appearing therefor,

IT IS HEREBY ORDERED that the above named defendant, Thoms Eugene Creech, shall be confined in the Ada County, Idaho, jail during the pendency of this action and that the Sheriff of Valley County, Idaho, is hereby ordered to transport such defendant between the Ada County Jail and any locations required in the further prosecution of this action.

DATED this 30th day of May, 1975.


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~ADAM~~ VALLEY

HON. J. RAY DURTSCHI
District Judge

MAY Term 19 75

Date May 30, 1975

COURT MINUTES

The State of Idaho)

vs Plaintiff -)

Thomas Eugene Creech)

Defendant -)

No. CR V.C. 2165

MURDER IN THE FIRST DEGREE

Appearances:

Robert Remaklus
Prosecuting Attorney

Counsel for State

Ward Hower
Public Defender

Counsel for Defendant

Defendant present and appearing in custody of the Valley County Sheriff.

Hearing on defendant's motion for change of venue.

Counsel stipulated to proceedings with hearing without formal notice.

Both Counsel declined to make any statement regarding new venue.

No statement by defendant.

Court took the matter under advisement.

Defendant requested that he be held in custody, either in Valley or Ada County. Counsel for State objected. After discussion with Valley County Sheriff, Counsel for State withdrew his objection and Court granted defendant's request to be held in custody of Ada County Sheriff, and there being no objections by either Counsel, the Court ordered the defendant transferred and directed Counsel to prepare order.

The Court ruled Mr. Lynn Thomas, Deputy Attorney General, could assist Prosecutor of Valley County.

The Court served in Open Court a copy of order re/publicity to Counsel, the defendant and Valley County Sheriff and directed every law enforcement officer that would come in contact with defendant be served a copy of order and informed Counsel that a copy of order re/publicity had been personally served on Sheriff of Ada County by Court.

Reporter: John Gashae Approved by:

Clerk: Carroll

Dated: May 30, 1975


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF KIDA VALLEY

HON. J. RAY DORTSCH
District Judge

May Term 1975

Date July 9, 1975

COURT MINUTES

The State of Idaho)

vs Plaintiff -)

Thomas Eugene Creech)

Defendant -)

No. V.C. CR 2165

MURDER IN THE FIRST DEGREE

Appearances:

Lynn Thomas
Deputy Attorney General

Counsel for State

Bruce O. Robinson

Ward Hower

Counsel for Defendant

Defendant present and appearing in custody of the Ada County Sheriff.

Hearing on Counsel's motion to withdraw.

Upon stipulation of Counsel hearing was scheduled for this date.

Statement by Mr. Hower, Counsel for defendant, re/motion to withdraw from the case.

Defendant stated this was his desire and had no objection and requested Mr. Bruce Robinson be entered as own counsel of record and not appointed by the Court.

Statement by Counsel for defendant, Mr. Robinson. Counsel requested additional time for recommendations for change of venue.

Defendant waived early hearing dates and continued matter to 3:30 p.m., June 30, 1975. There being no objection by defendant, Counsel stipulated to hearings being held in Ada County.

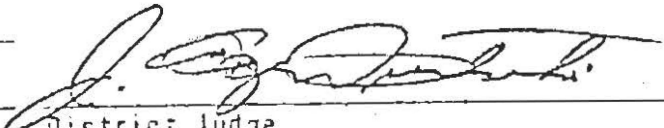
Defendant remanded to the custody of the Ada County Sheriff.

Reporter: John Garbee

Approved by:

Clerk: Mary

Dated: July 9, 1975


District Judge

JUN 18 1975

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 9
Nampa, Idaho 83651
Phone: 456-9284

J. W. CRUTCHER, CLERK
By Carol M. [unclear] Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * *

STATE OF IDAHO,)	
	)	Criminal #2165
Plaintiff,)	
)	
-vs-	)	<u>ORDER ALLOWING CHANGE OF COUNSEL</u>
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

THIS MATTER having come before the Court this 9th day of June, 1975, upon the request of court-appointed counsel and public defender, WARD HOWER; the matter being heard by stipulation of counsel at the Courthouse in Boise, Ada County, Idaho. The State of Idaho being represented by LYNN THOMAS, Esq., of the Attorney General's Office, and the Defendant being represented by his court-appointed counsel, WARD HOWER of Cascade, Idaho, and by his retained counsel, BRUCE O. ROBINSON, Esq., Nampa, Idaho.

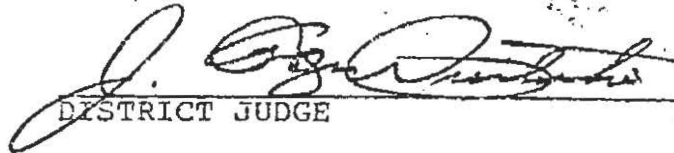
The Court being advised by WARD HOWER that the Defendant desired a change of counsel and that Mr. Hower acquiesced in the same and desired to withdraw in favor of BRUCE O. ROBINSON, Esq., counsel privately retained by the Defendant, Thomas Eugene Creech. The State making no objections to the same, and the Court being then and there fully advised in the premises;

1- ORDER ALLOWING CHANGE OF COUNSEL

IT IS THEREFORE ORDERED and this does hereby ORDER that counsel of record for the Defendant, Thomas Eugene Creech, be changed from the public defender-court appointed counsel, WARD HOWER, to the privately retained counsel, BRUCE O. ROBINSON, Esq., Nampa, Idaho.

It is further ORDERED that this matter is continued for the purpose of a hearing on the setting of a proper place of venue until the 30th day of June, 1975, at 3:30 o'clock P.M., the Defendant being remanded to the custody of the Ada County Sheriff's Office.

Dated this 16th day of June, 1975.


DISTRICT JUDGE

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF Kootenai VALLEY

HON. J. RAY DURTSCHI
District Judge

MAY Term 19 75

June 30, 1975

Date

COURT MINUTES

The State of Idaho)

vs Plaintiff -)

Thomas Eugene Creech)

Defendant -)

No. V.C. 2165

Log L-1 222 & 279

Appearances:

Lynn Thomas
Deputy Attorney General

Counsel for State

Bruce O. Robinson

Counsel for Defendant

Defendant present and appearing in custody of the Ada County Sheriff.

Further hearing on change of venue.

Statements by Counsel re/change of venue.
No statement by defendant.

Upon stipulation of Counsel the Court granted medical examinations for
the defendant. Written stipulation to be filed.

Proposed publicity notice, approved by Counsel for State and Counsel for
Defendant, was granted by the Court.

There being no objections the Court continued hearing on change of venue
to 3:30 p.m., July 10, 1975.

Defendant remanded to the custody of the Ada County Sheriff.

Reporter: John Gambee

Approved by:

Clerk: Marya

Dated: June 30, 1975


District Judge

BRUCE O. ROBINSON
Attorney at Law
P.O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

JUL 3 1975

*J. W. Cantelano, Clerk
Mary A. Hill, Deputy*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * *

STATE OF IDAHO,)	
	)	Criminal #2165
Plaintiff,)	
	)	<u>STIPULATION AND ORDER FOR MEDICAL</u>
-VS-)	
	)	<u>EXAMINATION</u>
THOMAS EUGENE CREECH,)	
)	
Defendant.)	


THE PARTIES above named in the State of Idaho by and through Counsel of record LYNN THOMAS, Deputy Attorney General and the Defendant by and through his Counsel BRUCE O. ROBINSON and stipulate to the Court that the Court enter its order allowing the Defendant to be examined by the physician of his choice. The said physical examination to include brain scan, EEG, EKG, glucose tolerance test and various blood tests. The arrangement for said physical examination to be made under the supervision and control of Sheriff Charles Palmer, Sheriff of Ada County Idaho.

It is further stipulated that the Defendant be allowed to have a psychiatrist of his own choice conduct interviews and consultations with the Defendant for the purpose of making an independent psychiatric analysis for the Defendant's use in his defense.

Dated this 2nd day of July, 1975.

Lynn Thomas
LYNN THOMAS - ~~ASSISTANT~~ ^{Deputy} ATTORNEY
GENERAL, STATE OF IDAHO

1- STIPULATION AND ORDER FOR MEDICAL EXAMINATION


BRUCE O. ROBINSON
ATTORNEY FOR THE DEFENDANT

O R D E R

A stipulation having been made in the above entitled matter by Counsel representing the State of Idaho and the Defendant and the Court being fully advised in the premises does hereby order that the Defendant be allowed to have both a physical examination by a medical doctor of his choice and a psychiatric examination by a psychiatrist of his choice. It is further ordered that all of said examinations be made under the supervision and control of the Sheriff of Ada County, Boise, Idaho.

Dated this 2nd day of July, 1975.


DISTRICT JUDGE

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF XXX VALLEY

HON. J. RAY DURTSCHI
District Judge

MAY Term 1975

July 10, 1975
Date

COURT MINUTES

The State of Idaho

vs Plaintiff -

Thomas Eugene Creech

Defendant -

No. V.C. CR 2165

MURDER IN THE FIRST DEGREE

Appearances:

Lynn Thomas
Deputy Prosecuting Attorney

Counsel for State

Bruce O. Robinson

Counsel for Defendant

Defendant present and appearing in custody of the Ada County Sheriff.

Hearing continued from June 30, 1975 for change of venue.

Argument.

The Court order venue change to Wallace, Idaho.

Counsel to prepare order.

Defendant remanded to the custody of the Ada County Sheriff.

Reporter: John Gambee

Approved by:

Clerk: Marya

Dated: July 10, 1975


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)
)
Plaintiff,)
)
v.)
)
THOMAS EUGENE CREECH,)
)
Defendant.)
_____)

Case No. 2165-CR

FINDINGS AND ORDER

JUL 11 1975
J.W. Crutcher
BY Mary A. Hill
D.S.

The Court, having concluded that the Defendant's Motion for Change of Venue from Cascade, Valley County, Idaho to another place of trial should be granted, and having heretofore so ordered, makes the following findings of fact after having heard the Plaintiff and the Defendant in open court on the tenth day of July, 1975, and previously:

1. That Wallace, Idaho is a suitable location for the trial of the above captioned case;
2. That it is likely that the substantial publicity concerning this case which has been present in the area of Cascade, Idaho, has not been duplicated in Wallace, Idaho, and that it is thus likely that a fair and impartial jury can be selected there without undue difficulty; that Wallace, Idaho is substantially removed in distance from Cascade, Idaho;
3. That a courtroom is available in Wallace, Idaho for an extended period of time;
4. That secure jail facilities exist in Wallace, Idaho, sufficient for the detention and protection of the Defendant,

Wherefore the Court concludes that the place of trial in the above captioned case should be fixed at Wallace, Idaho, Shoshone County, Idaho. It is so Ordered and this

case is hereby transferred to the District Court of the First Judicial District of the State of Idaho, in and for the County of Shoshone, pursuant to I.C. section 19-1804, and Rule 21 of the Idaho Rules of Criminal Practice and Procedure. The Clerk of the Court is directed to transmit the files of the Court in accordance with I.C. section 19-1804 and Rule 21 of the Idaho Rules of Criminal Practice and Procedure. Pursuant to I.C. 19-1805, the Defendant shall be forthwith removed to the custody of the Sheriff of Shoshone County, Idaho, unless the Court to which this action is transferred directs otherwise.

DATED This 14th day of July, 1975.


J. RAY DURTSCH
District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF KSA VALLEY

NO. _____
FILED
A.M. _____ P.M. _____

JUL 23 1975

J.W. Crutcher
~~CLERK~~
Mary A. Hill
~~DEPUTY CLERK~~

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d), and 55
(b) (1) I.R.C.P.

The State of Idaho

Plaintiff

-75-

Thomas Eugene Creech

Defendant

I, J. W. Crutcher, the undersigned authority, do

hereby certify that I have mailed, by United States mail, one copy of the _____

FINDINGS AND ORDER

as notice pursuant to Rule 77 (d) and 55 (b) (1) I. R.C.P. to each of the attorneys of record in this cause
in envelopes addressed as follows:

Sheriff Derold E. Lynskey
Valley County Courthouse
Cascade, Idaho 83611

Sheriff E. C. (Chuck) Palmer
Ada County Courthouse
Boise, Idaho

HAND DELIVERED

J. W. CRUTCHER
~~XXXXXXXXXXXX~~
Clerk of the District Court
Valley ~~XXX~~ County, Idaho

By *Mary A. Hill*
Deputy Clerk

JUL 12 4 55 PM '75

BY *Margaret Lindsey*
CLERK

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

* * * * *

THE STATE OF IDAHO,)	
	)	Criminal # 9701
Plaintiff,)	
	)	<u>STIPULATION</u>
-vs-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

P. O. BOX 8 - NAMPA, IDAHO 83651
ATTORNEY AT LAW
BRUCE O. ROBINSON

COMES NOW LYNN E. THOMAS, Esq., of the Idaho Attorney
General's office, Boise, Idaho; BRUCE O. ROBINSON, Esq., Nampa,
Idaho, counsel for Defendant; and ROBERT H. REMAKLUS, Esq.,
of the ^{valley} Ada County Prosecuting Attorney's Office, State of Idaho,
and hereby Stipulate to the Court as follows:

That this matter having been transferred to the
First Judicial District of the State of Idaho, in and for the
County of Shoshone at Wallace, Idaho, and it being the desire
of the Defendant's counsel to have the Defendant kept in close
proximity for complete consultation availability, the parties
hereto do agree that the said Defendant, THOMAS EUGENE CREECH,
may be kept under the custody of Sheriff Charles Palmer, at the
Ada County jail, at Boise, Idaho, which is the proper place
for the maintenance of said Defendant's incarceration and custody,
until further Order of the Court.

Dated this 15th day of July, 1975.

IDAHO ATTORNEY GENERAL

By: *Lynn E. Thomas*
LYNN E. THOMAS

- STIPULATION


BRUCE O. ROBINSON

VALLEY COUNTY PROSECUTING ATTORNEY

By: 
ROBERT H. REMAKLUS

BRUCE O. ROBINSON - ATTORNEY AT LAW - P. O. BOX 8 - NAMPA, IDAHO 83651

Page 2 and FINAL- STIPULATION

1
2 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
3 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY
4

5
6 THE STATE OF IDAHO

7 vs

CR CASE 2165

8 THOMAS EUGENE CREECH
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16 State of Idaho) SS.
17 County of Valley)

18 I, J. W. Crutcher, Clerk of the District Court of the
19 Fourth Judicial District of the State of Idaho, in and for
20 the County of Valley, do hereby certify that the foregoing
21 copies are true and correct copies of the originals on file
22 in this office. In witness whereof, I have hereunto set
23 my hand and affixed my official seal this 23rd day of
24 July, 1975.

25 J. W. CRUTCHER, Clerk

26 By Mary A. Hill Deputy
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JUL 29 9 03 AM '75

CLERK OF COURT
BY *James G. Towles*
DEPUTY

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IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)
Plaintiff,) No. 9701
v.) REQUEST FOR ASSIGNMENT
THOMAS EUGENE CREECH, aka) OF JUDGE
TOM TURNER, aka JOE CARL)
ADAMS, aka RICHARD DENNIS, JR.,)
Defendant.)

The venue of the above entitled action having been
transferred from the County of Valley to the County of
Shoshone in the State of Idaho, and an early trial date for
the above entitled action being a paramount consideration,

AND WHEREAS the Honorable Watt E. Prather, The Honorable
Dar Cogswell and the undersigned all deem themselves disquali-
fied for the sole reason that the pending cases in the First
Judicial District would prevent their granting to the defendant
a speedy trial,

IT IS HEREBY RESPECTFULLY REQUESTED that the Chief
Justice and the Supreme Court of the State of Idaho assign
another district judge from without the First Judicial District
to preside over all proceedings in the above entitled action.

Dated at Wallace, Idaho this 29th day of July, 1975.

James G. Towles
James G. Towles, Administrative Judge

1. REQUEST FOR ASSIGNMENT
OF JUDGE

CERTIFICATE OF MAILING

1 I HEREBY CERTIFY that on the 29th day of July, 1975, copies
2 of the attached Request for Assignment of Judge were mailed
to the following, postage prepaid:

3 The Honorable Henry McQuade, Chief Justice
4 Supreme Court of Idaho

5 The Honorable J. Ray Durtschi
6 The Honorable Watt E. Prather
7 The Honorable Dar Cogswell
8 Mr. Carl F. Bianchi
9 Mr. Robert H. Remaklus
10 Mr. Bruce O. Robinson
11 Mr. Lynn Thomas, Deputy Attorney General
12 The Honorable Don Swanstrom, Trial Court Administrator

Doreen Vermillion
Official Court Reporter

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32 2. REQUEST FOR ASSIGNMENT
OF JUDGE

JUL 31 2 02 PM '75

CLERK
BY *Theresa M. [illegible]*
CLERK

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

* * * * *

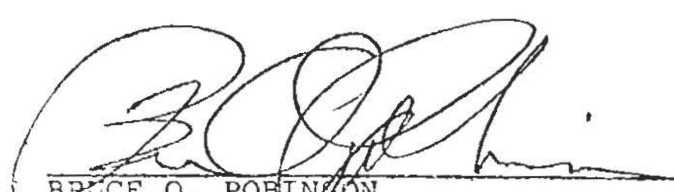
STATE OF IDAHO,	)	No. 9701
Plaintiff,)	
-vs-	)	<u>M O T I O N</u>
THOMAS EUGENE CREECH,)	
Defendant.)	

COMES NOW, BRUCE O. ROBINSON, Counsel of Record for the Defendant in the above entitled action and moves this Court for its Order setting a date certain for the trial of the above entitled action.

This Motion is made and based on the pleadings, files and records in this action.

NOTICE IS HEREBY GIVEN that the above and foregoing Motion of the Defendant will be called up for hearing on the 12th day of August, 1975 at 8 o'clock a.m. of said day at the Shoshone County Courthouse in Wallace, Idaho.

Dated this 30th day of July, 1975.


BRUCE O. ROBINSON
Attorney for Defendant

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of July, 1975

I served a copy of the within and foregoing Motion

_____ in the above entitled action upon
the following:

1. Lynn Thomas, Attorney General's Office.
Statehouse, Boise, Idaho 83702
2. Robert Remaklus, Prosecuting Attorney, Valley
County Courthouse, Cascade, Idaho 83611

by depositing a copy of the same in the United States mail,
postage prepaid, in an envelope to the above named persons at
their addresses as the same are last known to me.


BRUCE O. ROBINSON

BRUCE O. ROBINSON - ATTORNEY AT LAW - P. O. BOX 8 - NAMPA, IDAHO 83651

JUL 31 2 22 PM '75

CLERK
BY *[Signature]*
COURT

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

* * * * *

STATE OF IDAHO,)	
	)	No. 9701
Plaintiff,)	
	)	<u>MOTION IN LIMINE</u>
-VS-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW, BRUCE O. ROBINSON, Counsel of Record for the Defendant in the above entitled action and moves the Court for its Order disallowing and denying the admission into evidence of any information, documents, recordings or transcripts allegedly to have been directly or indirectly made by the Defendant of any previous offenses relating to armed robberies, for which said Defendant has not been charged.

This Motion is made and based on the pleadings, files and records in this action.

NOTICE IS HEREBY GIVEN that the above and foregoing Motion of the Defendant will be called up for hearing on the 12th day of August, 1975 at 8 o'clock a.m. of said day at the Shoshone County Courthouse in Wallace, Idaho.

Dated this 30th day of July, 1975

[Signature]
BRUCE O. ROBINSON
Of Counsel for Defendant

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of July, 1975

I served a copy of the within and foregoing Motion in Limine

_____ in the above entitled action upon

the following:

1. Lynn Thomas, Attorney General's Office,
Statehouse, Boise, Idaho 83702
2. Robert Remaklus, Prosecuting Attorney, Valley
County Courthouse, Cascade, Idaho 83611

by depositing a copy of the same in the United States mail,
postage prepaid, in an envelope to the above named persons at
their addresses as the same are last known to me.



BRUCE O. ROBINSON

BRUCE O. ROBINSON - ATTORNEY AT LAW - P. O. BOX 8 - NAMPA, IDAHO 83851

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

JUL 31 2 22 PM '75

CLERK

JUL 31

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

* * * * *

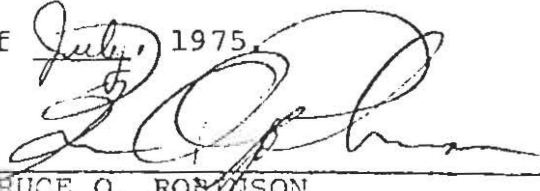
STATE OF IDAHO,)	
	)	No. 9701
Plaintiff,)	
	)	<u>MOTION IN LIMINE</u>
-vs-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW, BRUCE O. ROBINSON, Counsel of Record for the Defendant in the above entitled action and moves the Court for its Order disallowing and denying the admission into evidence of any information, documents, recordings or transcripts allegedly to have been directly or indirectly made by the Defendant of any previous offenses relating to out-of-state murders or deaths, for which said Defendant has not been charged.

This Motion is made and based on the pleadings, files and records in this action.

NOTICE IS HEREBY GIVEN that the above and foregoing Motion of the Defendant will be called up for hearing on the 12th day of August, 1975 at 8 o'clock a.m. of said day at the Shoshone County Courthouse in Wallace, Idaho.

Dated this 30th day of July, 1975.


BRUCE O. ROBINSON
Of Counsel for Defendant

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of July, 1975

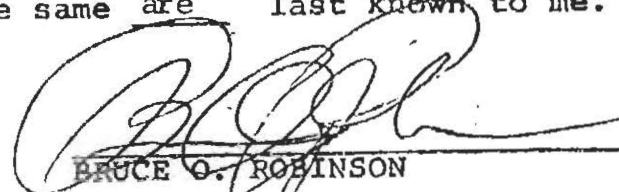
I served a copy of the within and foregoing Motion in Limine

_____ in the above entitled action upon

the following:

1. Lynn Thomas, Attorney General's Office,
Statehouse, Boise, Idaho 83702
2. Robert Remaklus, Prosecuting Attorney,
Valley County Courthouse, Cascade, Idaho
83611

by depositing a copy of the same in the United States mail,
postage prepaid, in an envelope to the above named persons at
their addresses as the same are last known to me.



BRUCE O. ROBINSON

BRUCE O. ROBINSON · ATTORNEY AT LAW · P. O. BOX 8 · NAMPA, IDAHO 83651

AUG 11 9 03 AM '75

1 IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
2 THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY
3
4

MAY 30 1975

5 THE STATE OF IDAHO,
6 Plaintiff,
7 vs.
8 THOMAS EUGENE CREECH,
9 Defendant.

Case No. Cr. 2165
J. W. CRUTCHER, CLERK
By *William H. Binn* Deputy

ORDER RE PUBLICITY

12 Under the Constitution, each defendant is entitled to the
13 due process of the law and to a fair trial. This Court has
14 an affirmative duty to do everything possible within its
15 Constitutional powers and jurisdiction to make certain that
16 each defendant does receive a fair trial.

17 In order to fulfill that Constitutional duty to guarantee
18 that the defendant in this case does receive a fair trial,
19 and because extensive pre-trial publicity of matters highly
20 prejudicial to the defendant which would not have been admissible
21 in the trial of the action has already resulted in a trial in
22 this matter being vacated after its commencement and a
23 determination that the venue of the trial must be changed;
24 and it further appearing to the Court that the further
25 dissemination by any means of public communication of any out-
26 of-court statements relating to this case may further interfere
27 with the Constitutional right of the defendant to a fair trial,
28 disrupt the further efforts to conduct a fair trial, and
29 disrupt the proper administration of justice; the Court, on its
30 own motion, will now issue the following orders, a violation

1 of which will result in any offender within the jurisdiction
2 of this Court being in contempt of court.

3 It is the order of this Court that no party to this action,
4 nor any attorney connected with this case as defense counsel
5 or as prosecutor, nor any officer or employee of the Court,
6 nor any police officer, sheriff, or law enforcement personnel,
7 nor any agent, deputy, or employee of any such persons, nor any
8 person subpoenaed to testify at the trial of this matter,
9 shall:

10 1. Release or authorize the release for public
11 dissemination of any purported extrajudicial statement of the
12 defendant relating to this case;

13 2. Release or authorize the release of any documents,
14 exhibits, or any evidence, the admissibility of which may have
15 to be determined by the Court;

16 3. Make any statement for public dissemination as
17 to the existence or possible existence of any document, exhibit,
18 or any other evidence, the admissibility of which may have to
19 be determined by the Court;

20 4. Express outside of the court an opinion or make
21 any comment for public dissemination as to the weight, value,
22 or effect of any evidence as tending to establish guilt or
23 innocence;

24 5. Make any statement outside of court as to the
25 identity of any prospective witness, or his probable testimony,
26 or the effect thereof;

27 6. Make any out-of-court statement as to the
28 nature, source, or effect of any purported evidence alleged to
29 have been accumulated as a result of the investigation of this
30 matter;

1 7. Make any statement as to the content, nature,
2 substance, or effect of any testimony which may be given in any
3 proceeding related to this matter, except that a witness may
4 discuss any matter with any attorney of record or agent thereof.

5 This order does not include any of the following:

6 1. Factual statements of the accused person's name,
7 age, residence, occupation, and family status.

8 2. The circumstances of the arrest, namely, the time
9 and place of the arrest, the identity of the arresting and
10 investigating officers and agencies, and the length of the
11 investigation.

12 3. The nature, substance, and text of the charges,
13 including a description of the offenses charged.

14 4. Quotations from, or any reference without comment
15 to, public records of the Court in the case, or to other
16 public records.

17 5. The scheduling and result of any stage of the
18 judicial proceeding held in open court in an open or public
19 session.

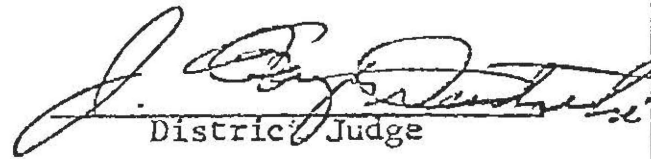
20 6. A request for assistance in obtaining evidence
21 or the names of possible witnesses.

22 Further, this order is not intended to preclude any
23 witness from discussing any matter in connection with the case
24 with any of the attorneys representing the defendant or the
25 State, or any representative of such attorneys.

26 It is further ordered that a copy of this order be attached
27 to any subpoena served on any witness in this matter, and that
28 the return of service of the subpoena shall also include the
29 fact of service of a copy of this order.
30

1 This order shall be in force until this matter has been
2 disposed of or until further order of the Court.

3 Dated this 27th day of May, 1975.

4
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6 District Judge
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SUBPOENA

.....State of Idaho.....

Plaintiff

vs.

.....Thomas Eugene Creech.....

Defendant

STATE OF IDAHO,)
County of Shoshone,) ss.

In the District Court, First Judicial District,
State of Idaho, in and for
Shoshone County

THE STATE OF IDAHO:

To.....Sheriff Jim W. Hilman.....

You are hereby commanded that, laying aside all excuses, you appear at the court room of the District Court of the First Judicial District of the State of Idaho, in and for Shoshone County, on the 6th day of October, 1975, at 10:00 o'clock A.M. of said day, then and there to testify what you may know in the above entitled action now pending before said court on the part of defendant

Victoria White Clerk.
By *Margaret Lindley* Deputy.

AUG 22 12 24 PM '75

AFFIDAVIT OF SERVICE

FILED
BY Margaret Kelley
CLERK

STATE OF IDAHO)
) ss.
County of Canyon)

Lila Robinson, being first duly sworn,
deposes and says:

That she is, and was on the day when she served the
annexed papers, a female citizen of the United States, over the
age of twenty-one (21) years and is not a party to the above
entitled action; that she received the annexed subpoena

in said action on the 15th day of August, 1975, and
personally served the same upon Sheriff Jim W. Hileman
on the 17 day of August, 1975, by delivering to
Sheriff Jim W. Hileman, personally in the County of
Adams, a copy of said subpoena

and affiant further says that she knows the person so served
to be the person named in said action.

Lila Robinson

SUBSCRIBED and SWORN to before me this 21 day of

August, 1975.

Yoraine H. Jones
Notary Public for Idaho
Residence: Nampa, Idaho

(SEAL)

SUBPOENA

STATE OF IDAHO

STATE OF IDAHO,)
County of Shoshone,) ss.

Plaintiff

vs.

THOMAS EUGENE CREECH

In the District Court, First Judicial District,
State of Idaho, in and for
Shoshone County

Defendant

THE STATE OF IDAHO:

To Sheriff Lou Gardner, Shoshone County Sheriffs Office, Wallace.

You are hereby commanded that, laying aside all excuses, you appear at the court room of the District Court of the First Judicial District of the State of Idaho, in and for Shoshone County, on the 6 day of October, 1975, at 10:00 o'clock A.M. of said day, then and there to testify what you may know in the above entitled action now pending before said court on the part of the defendant.

Victor White Clerk.

By *Verde McCoy* Deputy.

STATE OF IDAHO — COUNTY OF SHOSHONE
RETURN ON SUBPOENA

I, LEWIS GARDNER SHERIFF, RECEIVED
THE WITHIN SUBPOENA

ON AUGUST 27 1975 AND SERVED SAME
ON LEWIS GARDNER, SHERIFF OF SHOSHONE COUNTY
THEREIN NAMED DEFENDANT AUG. 27 1975

Lou Gardner
SHERIFF

BY *N. L. Barr*
DEPUTY SHERIFF

AUG 27 2 45 PM '75
CLERK
BY *M. J. [unclear]* DEPUTY

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

A.M. P.M.

SEP 5 1975

*may a file, deputy
J. W. Critchew, clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	AFFIDAVIT IN SUPPORT OF MOTION
-vs-	)	FOR ALLOWANCE OF SUBPOENA
	)	OF WITNESSES
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	
)	

STATE OF IDAHO)
County of Canyon) ss.

BRUCE O. ROBINSON, after being first duly sworn,
deposes and says:

That he is Counsel of record for the Defendant,
THOMAS EUGENE CREECH, and makes this Affidavit in support
of Defendant's Motion for Allowance of Subpoena of Witnesses,
the fees and mileage therefor to be charged against the County.

Your affiant states that all of the witnesses
listed in the Motion, to be called by the defense, are necessary
and proper and their evidence is material to the defense. That
the testimony of each of said witnesses will be directed to
the character and personality of the defendant, his life's past
and mental defect, and his involvement in motivation of his
Idaho charges. That the Defendant cannot safely go to trial
without said testimony.

1- AFFIDAVIT IN SUPPORT OF MOTION FOR ALLOWANCE OF SUBPOENA OF
WITNESSES.

SEP 10 10 23 AM '75

FILED
SEP 11 1975
CLERK OF COURT
J. L. C. (Clerk)

★ ★ ★ ★ ★

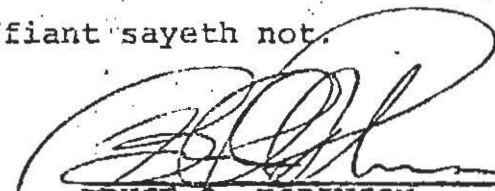
AFFIDAVIT IN SUPPORT OF MOTION
FOR ALLOWANCE OF SUBPOENA
OF WITNESSES

Your affiant states that all of the witnesses listed in the Motion, to be called by the defense, are necessary and proper and their evidence is material to the defense. That the testimony of each of said witnesses will be directed to the character and personality of the Defendant, his life's past and present habits, and his involvement in activation of his former duties. That the Defendant cannot safely go to trial without said testimony.

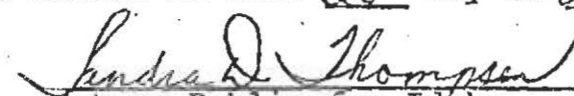
- 134 -

That some of the Subpoenas for said witnesses have already been issued for reason that the Court was not available and that lead time for said Subpoenas was necessary to advise those being subpoenaed that they would be called to Wallace, Idaho, allowing them the ability to arrange their schedules and their work and professional activities to make themselves available to said Subpoenas.

Further, your affiant sayeth not.

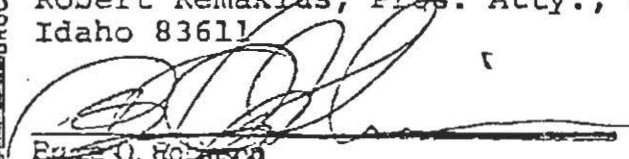

BRUCE O. ROBINSON
Counsel for Defendant

SUBSCRIBED and SWORN to before me this 28th day of August, 1975.


Sandra D. Thompson
Notary Public for Idaho
Residence; Nampa, Idaho



I certify that on the 2nd day of Sept., 1975,
I placed in the U. S. Mail at Nampa, Idaho, postage prepaid, a copy of the foregoing instrument addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83701
Robert Remaklus, Pres. Atty., Valley Cnty. Courthouse, Cascade, Idaho 83611


Bruce O. Robinson

2 and FINAL- AFFIDAVIT IN SUPPORT OF MOTION FOR ALLOWANCE OF SUBPOENA OF WITNESSES

STATE OF IDAHO }
COUNTY OF SHOSHONE } ss
FILED:

SEP 9 11 40 AM '75

SHERIFF'S OFFICE)
COUNTY OF VALLEY)
STATE OF IDAHO)

RETURN ON SUBPOENA COURT
BY Derold E. Lynskey
DEPUTY

I, Derold Lynskey Sheriff of the County of Valley, State of Idaho, do hereby certify that I received the attached subpoena on the 28 day of August 1975, and personally served the same upon Derold E. Lynskey, the within named witness, by delivering to and leaving with said witness, personally in the County of Valley on the 2 day of September 1975, a copy of said subpoena.

Dated this 2 day of September 1975

Derold E. Lynskey
Sheriff
by Margaret Herrick

SUBPOENA

STATE OF IDAHO

Plaintiff

vs.

THOMAS EUGENE CREECH

Defendant

STATE OF IDAHO,
County of Shoshone, } ss.

In the District Court, First Judicial District,
State of Idaho, in and for
Shoshone County

THE STATE OF IDAHO:

To Sheriff Darrold Lyndskey, Valley Co. Sheriffs Office, Cascade

You are hereby commanded that, laying aside all excuses, you appear at the court room of the District Court of the First Judicial District of the State of Idaho, in and for Shoshone County, on the 6 day of October, 1975, at 10:00 o'clock A.M. of said day, then and there to testify what you may know in the above entitled action now pending before said court on the part of the defendant

William White Clerk.
By Terde McCoy Deputy.

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED
AUG 14 1975
J. W. Crutcher, Clerk
Valley County, Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	CONSENT AND WAIVER OF
-vs-	)	PERSONAL APPEARANCE
	)	OF DEFENDANT
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

COMES NOW THOMAS EUGENE CREECH, Defendant in the above-entitled matter individually and acting under advise of his counsel does hereby consent to and waive any necessity of his personal presence at the hearing of motions on pure technical legal matters which may come before this Court from the present date until trial commences the 6th day of October, 1975, at Wallace, Idaho.

This consent to and waiver of the necessity of his personal presence is to clothe the Defendant's counsel with authority to appear on all of said matters and motions as the Court and counsel for the State and the Defendant may be deemed proper and permissable under the laws of the State of Idaho.

Dated this 6th day of August, 1975.

Thomas Eugene Creech
THOMAS EUGENE CREECH

Consent and Waiver of Personal Appearance
of Defendant and Certificate of Mailing

In the District Court of the Fourth Judicial District of the
State of Idaho, In and For the County of ~~XXX~~ VALLEY

The State of Idaho
Plaintiff

vs

Thomas Eugene Creech
Defendant

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d) I.R.C.P.

FILED

AUG 14 1975

I, J. W. Crutcher, the undersigned authority, do hereby certify
that I have mailed, by United States mail, one copy of the CONSENT & WAIVER OF PERSONAL
APPEARANCE OF DEFENDANT AND STIPULATIONS AND ORDER

as notice pursuant to Rule 77 (d) I.R.C.P. to each of the attorneys of record in this cause in
envelopes addressed as follows:

Ms Victoria White
Clerk of the District Court
Shoshone County
Box 1049
Wallace, Idaho 83873

Bruce O. Robinson
Attorney at Law
P. O. Box 8
Nampa, Idaho

Lynn Thomas
Deputy Attorney General
State House
Boise, Idaho

Robert H. Remaklus
Attorney at Law
P. O. Box 759
Cascade, Idaho

~~XXXXXXXXXXXXXXXXXXXX~~
CLERK OF THE DISTRICT COURT
Valley ~~XXX~~ County, Idaho

By Mary A. Hill
Deputy Clerk

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

MO. _____
FILED
A. M. _____ P. M. 1:45
AUG 14 1975
Mary A. Hill
Deputy Clerk
J. W. Cratcher, Clerk
Valley County, Idaho

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165--CR
Plaintiff,)	
	)	<u>STIPULATIONS and ORDER</u>
-vs-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW the State of Idaho by and through ROBERT
REMAKLUS, Prosecuting Attorney, Valley County, and LYNN THOMAS,
Deputy Attorney General, and BRUCE O. ROBINSON, Counsel for the
Defense, and stipulate to the Court as follows:

I.

That the cutoff of all pre-trial motions shall be the
10th day of September, 1975.

II.

That all briefs on all motions pending at the cutoff
date shall be submitted to the Court on or before the 17th day
of September, 1975.

III.

That the hearing on all motions other than evidentiary
shall be heard at Boise, Idaho on the 22nd day of September, 1975
at the hour of 3:30 P.M. or as soon thereafter as counsel can be
heard.

1- STIPULATIONS and ORDER

IV.

That all evidentiary motions then pending shall be heard prior to the commencement of trial at Wallace, Idaho, Shoshone County, State of Idaho on the 6th day of October.

V.

That all pre-trial briefs shall be filed and delivered to the Court on or before the 1st day of October, 1975.

VI.

That the commencement of trial in the above-entitled matter shall commence at 10 A.M. the 6th day of October, 1975.

VII.

It is stipulated that previous notice for hearings on the pending motions at 8 A.M. on the 12th day of August, 1975 is vacated and pursuant to the above all of said motions shall be heard on the 22nd day of September, 1975.

VIII.

That the Defendant, THOMAS EUGENE CREECH, shall be transported to the Shoshone County Jail at Wallace, Idaho on the 7th day of August, 1975, and remain there through his trial which commences the 6th day of October unless otherwise specified by the Court.

Dated this 6th day of August, 1975.

APPROVED

Thomas Eugene Creech
THOMAS EUGENE CREECH

ROBERT REMAKLUS
Prosecuting Attorney, Valley
County, Cascade, Idaho

Lynn Thomas
LYNN THOMAS, Deputy Attorney
General, Wallace, Idaho

Bruce O. Robinson
BRUCE O. ROBINSON, Counsel for
Defendant, Nampa, Idaho

2- STIPULATIONS and ORDER

O R D E R

The Court having read the above stipulation by Counsel for the State and for the Defendant and being appraised of the premises contained therein, hereby ORDERS as follows:

1. That the cutoff of all pre-trial motions shall be the 10th day of September, 1975.
2. That all briefs on all motions pending at the cut-off date shall be submitted to the Court on or before the 17th day of September, 1975.
3. That the hearing on all motions other than evidentiary shall be heard at Boise, Idaho on the 22nd day of September, 1975, at the hour of 3:30 P.M. or as soon thereafter as counsel can be heard.
4. That all evidentiary motions then pending shall be heard prior to the commencement of trial at Wallace, Idaho, Shoshone County, State of Idaho on the 6th day of October.
5. That all pre-trial briefs shall be filed and delivered to the Court on or before the 1st day of October, 1975.
6. That the commencement of trial in the above-entitled matter shall commence at 10 A.M. the 6th day of October, 1975.
7. It is stipulated that previous notice for hearings on the pending motions at 8 A.M. on the 12th day of August, 1975 is vacated and pursuant to the above all of said motions shall be heard on the 22nd day of September, 1975.
8. That the Defendant, THOMAS EUGENE CREECH, shall be transported to the Shoshone County Jail at Wallace, Idaho on the 7th day of August, 1975, ^{or as soon thereafter as convenient to Sheriff of Valley County} and remain there through his trial which commences the 6th day of October unless otherwise specified by the Court.

Dated this 11th day of August, 1975.


J. RAY DORTSCHI
District Judge

ORIGINAL

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P. O. Box 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

ATTORNEYS FOR PLAINTIFF

Case No. 2165 Inst. No. 48
Filed 11:35 A.M. _____ P.M.

AUG 20 1975

J. W. CRUTCHER, CLERK
By Carl D. New Deputy.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	NO. 2165
)	
v.	)	<u>PLAINTIFF'S</u>
)	
THOMAS EUGENE CREECH,	)	<u>MOTION FOR DISCOVERY</u>
)	
Defendant.)	

COMES NOW the STATE OF IDAHO and moves, pursuant to
Rule 16(b), Idaho Rules of Criminal Practice and Procedure,
for the Court's order directing the Defendant and the De-
fendant's counsel to comply with said Criminal Rule 16(b)
in the following particulars:

I.

That the Defendant shall permit the prosecutors to
inspect and copy or photograph books, papers, documents,
photographs, tangible objects or copies or portions thereof,
which are within the possession, custody or control of the
Defendant, and which the Defendant intends to introduce in
evidence at the trial; and

II.

That the Defendant shall permit the State to inspect
and copy or photograph any results or reports of physical or
mental examinations and of scientific tests or experiments
made in connection with this case, or copies thereof, within


the possession or control of the Defendant, which the Defendant intends to introduce in evidence at the trial, or which were prepared by a witness whom the Defendant intends to call at the trial when the results or reports relate to testimony of the witness; and

III.

That the Defendant shall furnish the State a list of names and addresses of witnesses Defendant intends to call at trial.


The State of Idaho moves further that the Court, pursuant to Rule 16(f) of the Idaho Rules of Criminal Practice and Procedure, order that the Defendant furnish the aforesaid list of witnesses, permit the inspection of the aforesaid documents and tangible objects, and furnish the aforesaid reports of examinations and tests on or before the 12th day of September, 1975, and further, that the aforesaid list of defense witnesses shall be furnished by mailing copies thereof to the prosecuting attorneys on or before the said date, and that the other incidents of discovery herein referenced be conducted on the 12th day of September, 1975, or other time agreeable to all parties, at the office of the Defendant's counsel in Nampa, Idaho.

DATED This 27th day of August, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecuting
Attorney for Valley County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That I have on this 27th day of August, 1975, served the foregoing PLAINTIFF'S MOTION FOR DISCOVERY by placing a true and correct copy thereof in the United States mail, postage prepaid, addressed to Defendant's counsel, BRUCE O. ROBINSON, P. O. Box 8, Nampa, Idaho 83651.


Lynn E. Thomas
Special Assistant Prosecutor

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 8 1975

Mary A. Hill
J. W. Chittenden Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	<u>STIPULATIONS and ORDER</u>
-vs-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW the State of Idaho by and through ROBERT
REMAKLUS, Prosecuting Attorney, Valley County, and LYNN THOMAS,
Deputy Attorney General, and BRUCE O. ROBINSON, Counsel for the
Defense, and stipulate to the Court as follows:

I.

That the cutoff of all pre-trial motions shall be the
10th day of September, 1975.

II.

That all briefs on all motions pending at the cutoff
date shall be submitted to the Court on or before the 17th day
of September, 1975.

III.

That the hearing on all motions other than evidentiary
shall be heard at Boise, Idaho on the 22nd day of September, 1975
at the hour of 3:30 P.M. or as soon thereafter as counsel can be
heard.

1- STIPULATIONS and ORDER

IV.

That all evidentiary motions then pending shall be heard prior to the commencement of trial at Wallace, Idaho, Shoshone County, State of Idaho on the 6th day of October.

V.

That all pre-trial briefs shall be filed and delivered to the Court on or before the 1st day of October, 1975.

VI.

That the commencement of trial in the above-entitled matter shall commence at 10 A.M. the 6th day of October, 1975.

VII.

It is stipulated that previous notice for hearings on the pending motions at 8 A.M. on the 12th day of August, 1975 is vacated and pursuant to the above all of said motions shall be heard on the 22nd day of September, 1975.

VIII.

That the Defendant, THOMAS EUGENE CREECH, shall be transported to the Shoshone County Jail at Wallace, Idaho on the 7th day of August, 1975, and remain there through his trial which commences the 6th day of October unless otherwise specified by the Court.

Dated this 6th day of August, 1975.

APPROVED

Thomas Eugene Creech
THOMAS EUGENE CREECH

Robert Remaklus
ROBERT REMAKLUS
Prosecuting Attorney, Valley
County, Cascade, Idaho

Lynn Thomas
LYNN THOMAS, Deputy Attorney
General, Wallace, Idaho

Bruce O. Robinson
BRUCE O. ROBINSON, Counsel for
Defendant, Nampa, Idaho

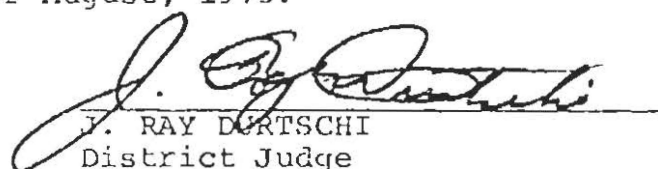
2- STIPULATIONS and ORDER

O R D E R

The Court having read the above stipulation by Counsel for the State and for the Defendant and being appraised of the premises contained therein, hereby ORDERS as follows:

1. That the cutoff of all pre-trial motions shall be the 10th day of September, 1975.
2. That all briefs on all motions pending at the cut-off date shall be submitted to the Court on or before the 17th day of September, 1975.
3. That the hearing on all motions other than evidentiary shall be heard at Boise, Idaho on the 22nd day of September, 1975, at the hour of 3:30 P.M. or as soon thereafter as counsel can be heard.
4. That all evidentiary motions then pending shall be heard prior to the commencement of trial at Wallace, Idaho, Shoshone County, State of Idaho on the 6th day of October.
5. That all pre-trial briefs shall be filed and delivered to the Court on or before the 1st day of October, 1975.
6. That the commencement of trial in the above-entitled matter shall commence at 10 A.M. the 6th day of October, 1975.
7. It is stipulated that previous notice for hearings on the pending motions at 8 A.M. on the 12th day of August, 1975 is vacated and pursuant to the above all of said motions shall be heard on the 22nd day of September, 1975.
8. That the Defendant, THOMAS EUGENE CREECH, shall be transported to the Shoshone County Jail at Wallace, Idaho on the 7th day of August, 1975, ^{or as soon thereafter as convenient to Sheriff of Valley County} and remain there through his trial which commences the 6th day of October unless otherwise specified by the Court.

Dated this 11th day of August, 1975.


J. RAY DERTSCHI
District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~KXX~~ VALLEY

HON. J. RAY DURTSCHI
District Judge

SEPTEMBER Term 19 75

Date September 4, 1975

COURT MINUTES

The State of Idaho)

vs Plaintiff -)

Thomas Eugene Creech)

No. V.C. 2165

Defendant -

MURDER IN THE FIRST DEGREE

Appearances:

Lynn Thomas
Deputy Attorney General

Counsel for State

Bruce Robinson

Counsel for Defendant

Defendant not present.

Hearing on miscellaneous motions.

There being no objections the Court continued this hearing until 9:30 a.m.,
September 5, 1975.

Reporter: John Gambee Approved by:

Clerk: marya

Dated: September 4, 1975


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~XXX~~ VALLEY

HON. J. RAY DURTSCHI
DISTRICT JUDGE

SEPTEMBER Term 19 75

September 5, 1975
Date

COURT MINUTES

The State of Idaho
Plaintiff -
vs
Thomas Eugene Creech
Defendant -

No. V.C. 2165

MURDER IN THE FIRST DEGREE

Appearances:

Lynn Thomas
Deputy Attorney General

Counsel for State

Bruce O. Robinson

Counsel for Defendant

Defendant not present.

Hearing continued from September 4, 1975 on miscellaneous motions of State and Defendant.

State's Motion for Production of Handwriting Exemplars -
Argument.

The Court granted motion upon supplemental showing in support of motion.

State's Motion for Psychiatric Study -
There being no objection the Court granted motion

State's Motion for Discovery -
There being no objection the Court granted motion.

Counsel to prepare orders.

Defendant's Motion for Discovery and Inspection -
There being no objection the Court granted motion.

No ruling necessary on Defendant's Notice of Association of Co-Counsel.

Defendant's Motion regarding special equipment and supplies. -
Argument re/typewriter and writing paper.

The Court denied motion as to typewriter and directed Counsel for State to consult with Sheriff or Prosecuting Attorney of Shoshone County as to availability of pen, pencil and paper for Defendant.

Defendant's motion for Pre-Trial Conference -
Argument.

The Court granted Defendant's motion for Pre-Trial Conference October 3, 1975 at 9:30 a.m., for all motions that would require Defendant to be present and set September 22, 1975 for pre-trial conference for all motions that do not require the Defendant to be present.


Defendant's Motion for Allowance of Subpoena of Witnesses -
Argument.

The Court denied defendant's motion except for witnesses subpoenaed by State and rejected tendered subpoenas for the State without prejudice.

Counsel to prepare orders.

REPORTER: John Gambee
CLERK: marya
DATE: September 5, 1975

APPROVED:


District Judge

SEP 10 10 23 AM '75

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

COURT
BY *L. A. Hall*
DEPUTY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

No. 2165

MO.

FILED

O R D E R

A. M.

SEP 8 1975

Mary A. L. Clark
J. W. Crutcher, deputy

Plaintiff's Motion For Psychiatric Study came on before the court on the 5th day of September, 1975, and the court, being fully advised in the premises and in the law, and no objection having been made by the Defendant, now, therefore,

IT IS ORDERED That the Plaintiff's Motion For Psychiatric Study be granted and the Defendant, THOMAS EUGENE CREECH, is ordered to submit to complete psychiatric interviews and examination by Dr. F. LaMarr Heyrend, Boise, Idaho, at such times as the said Dr. F. LaMarr Heyrend may determine, and to complete psychological testing by a psychologist to be designated by the said Dr. F. LaMarr Heyrend.

The report of the said examining psychiatrist and psychologist should include:

- a. A description of the nature of the examination;
- b. A diagnosis of the mental condition of the defendant;
- c. If the defendant suffers from a mental disease or defect, an opinion as to his capacity to understand the proceedings against him and to assist in his own defense;
- d. An opinion as to the extent, if any, to which the capacity of the defendant to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements

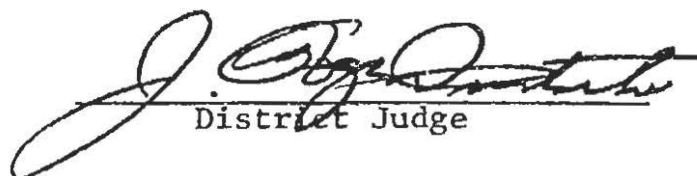
of law was impaired at the time of the criminal conduct charged and

e. An opinion as to the capacity of the defendant to entertain mental states of malice aforethought and pre-meditation, all pursuant to the requirements of Idaho Code §18.211.

The said report shall be submitted as soon as practicable, but in any event not later than 1 October, 1975.

Defendant shall submit to such number of examinations as shall be necessary in the judgment of the examining psychiatrist.

DATED This 8th day of September, 1975.


District Judge

ORDER, P. 2

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P.O. Box 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

Attorneys for Plaintiff

FILED
A.M. P.M.

SEPT 1975


Mary A. Hill - deputy
J.W. Crocker - clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,)	
	)	No. 2165
v.)	
)	
THOMAS EUGENE CREECH,	)	<u>MOTION FOR THE PRODUCTION</u>
)	
Defendant.	)	<u>OF HANDWRITTING EXEMPLARS</u>
)	
)	


COMES NOW the State of Idaho and moves that the Defendant,
THOMAS EUGENE CREECH, be ordered by the court to furnish hand-
writing exemplars in order to enable the State to obtain an
expert opinion with respect to the authorship of certain
handwritten statements and representations of the Defendant,
THOMAS EUGENE CREECH, which may be introduced in evidence at
Defendant's trial or in proceedings related to suppression of
evidence.

DATED This 4th day of September, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That I have on the 4th day of September, 1975, served the foregoing MOTION FOR THE PRODUCTION OF HANDWRITING EXEMPLARS by personally serving a true and correct copy thereof upon Bruce O. Robinson, Attorney at Law, P.O. Box 8, Nampa, Idaho 83605, attorney for Defendant.


LYNN E. THOMAS
Deputy Attorney General
State of Idaho

MOTION FOR THE PRODUCTION OF
HANDWRITING EXEMPLARS, Page 2

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P.O. BOX 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

ATTORNEYS FOR PLAINTIFF

FILED
A.M. P.M.
SEP 5 1975
Mary A. Hill - deputy
J.W. Cretcher, clerk


IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	No. 2165
)	
v.)	
	)	<u>MOTION FOR PSYCHIATRIC STUDY</u>
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW the State of Idaho and moves that the court order the Defendant, THOMAS EUGENE CREECH, to submit to full psychiatric interview and examination by Dr. F. LaMarr Heyrent and to psychological testing by a psychologist to be designated by Dr. F. LaMarr Heyrent, Psychiatrist, pursuant to I.C. §18-211.

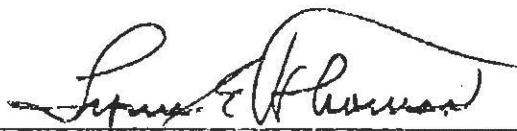
This Motion is made upon the ground that the psychiatric examination heretofore forwarded by Dr. Michael Estess, upon appointment of the court, concerns itself with the Defendant's fitness to stand trial and does not afford the state sufficient information and evidence upon which to base its rebuttal of Defendant's insanity defense, for which notice has been heretofore filed.

DATED This 4th day of September, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That I have on the 4th day of
September, 1975, served the foregoing MOTION FOR PSYCHIATRIC
STUDY by personally serving a true and correct copy thereof
upon BRUCE O. ROBINSON, Attorney at Law, P.O. Box 8, Nampa,
Idaho 83605, attorney for Defendant.


LYNN E. THOMAS
Deputy Attorney General
State of Idaho

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P. O. Box 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

ATTORNEYS FOR PLAINTIFF

FILED
SEP 5 1975
Mary A. Hill, Deputy
J.W. Crutcher, Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,	)	NO. 2165
)	
v.	)	<u>PLAINTIFF'S</u>
)	
THOMAS EUGENE CREECH,	)	<u>MOTION FOR DISCOVERY</u>
)	
Defendant.)	

COMES NOW the STATE OF IDAHO and moves, pursuant to Rule 16(b), Idaho Rules of Criminal Practice and Procedure, for the Court's order directing the Defendant and the Defendant's counsel to comply with said Criminal Rule 16(b) in the following particulars:

I.

That the Defendant shall permit the prosecutors to inspect and copy or photograph books, papers, documents, photographs, tangible objects or copies or portions thereof, which are within the possession, custody or control of the Defendant, and which the Defendant intends to introduce in evidence at the trial; and

II.

That the Defendant shall permit the State to inspect and copy or photograph any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, within


the possession or control of the Defendant, which the Defendant intends to introduce in evidence at the trial, or which were prepared by a witness whom the Defendant intends to call at the trial when the results or reports relate to testimony of the witness; and

III.

That the Defendant shall furnish the State a list of names and addresses of witnesses Defendant intends to call at trial.


The State of Idaho moves further that the Court, pursuant to Rule 16(f) of the Idaho Rules of Criminal Practice and Procedure, order that the Defendant furnish the aforesaid list of witnesses, permit the inspection of the aforesaid documents and tangible objects, and furnish the aforesaid reports of examinations and tests on or before the 12th day of September, 1975, and further, that the aforesaid list of defense witnesses shall be furnished by mailing copies thereof to the prosecuting attorneys on or before the said date, and that the other incidents of discovery herein referenced be conducted on the 12th day of September, 1975, or other time agreeable to all parties, at the office of the Defendant's counsel in Nampa, Idaho.

DATED This 27th day of August, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecuting
Attorney for Valley County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That I have on this 27th day of August, 1975, served the foregoing PLAINTIFF'S MOTION FOR DISCOVERY by placing a true and correct copy thereof in the United States mail, postage prepaid, addressed to Defendant's counsel, BRUCE O. ROBINSON, P. O. Box 8, Nampa, Idaho 83651.


Lynn E. Thomas
Special Assistant Prosecutor

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P.O. Box 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

FILED

A.M. P.M.

SEP 5 1975
Mary A. Hill, clerk
J.W. Crutcher, Deputy


ATTORNEYS FOR PLAINTIFF

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,)	
	)	No. 2165
v.)	
)	
THOMAS EUGENE CREECH,	)	<u>NOTICE OF HEARING</u>
)	
Defendant.)	
)	


NOTICE IS HEREBY GIVEN That the Plaintiff's Motion For Psychiatric Study of the Defendant, the state's Motion For Production of Handwritting Exemplars of Defendant, and Motion For Plaintiff's Discovery will be called up for hearing before the Honorable J. Ray Durtschi in the courthouse in Boise, Idaho on the fourth day of September, 1975, at the hour of 3:30 o'clock p.m., or soon thereafter as counsel can be hear, it being understood by the State that Defendant's counsel will stipulate that the said matters may be heard upon short notice.

DATED this 4th day of September, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney for Valley County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That I have on the 4th day of
September, 1975, served the foregoing NOTICE OF HEARING by
personally serving a true and correct copy thereof upon
BRUCE O. ROBINSON, P.O. Box 8, Nampa, Idaho 83651.


LYNN E. THOMAS
Special Assistant Prosecutor

NOTICE OF HEARING, Page 2

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*Mary A. Hill, Deputy
J. W. Crutcher, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
)	
-vs-	)	MOTION FOR DISCOVERY AND
	)	INSPECTION
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	
)	

The defendant, THOMAS E. CREECH, by and through counsel of record, BRUCE O. ROBINSON, hereby moves the Court to enter its order as follows:

1. Requiring the Attorney General to permit such counsel to inspect and copy or photograph: any relevant written or recorded statements made by such defendant, or copies thereof, within the possession, custody or control of the state, the existence of which is known or is available to the Attorney General's office by the exercise of due diligence; and also the substance of any relevant, oral statement made by such defendant whether before or after arrest to a peace officer, prosecuting attorney, Attorney General, or their agents.

2. Requiring the Attorney General to permit such counsel to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with this case, or copies thereof,

1- MOTION FOR DISCOVERY AND INSPECTION

within the possession, custody or control of the Attorney General, the existence of which is known or is available to the Attorney General by the exercise of due diligence.

3. Requiring the Attorney General to furnish to such defense counsel a written list of the names and addresses of all persons having knowledge or relevant facts who may be called by the state as witnesses at the trial, together with any record of prior felony convictions of any such person which is within the knowledge of the Attorney General.

This motion is made on the grounds that such information is necessary to the proper defense of this action and that the ends of justice will be served by granting this motion; and further made and based upon all of the records and files in this action.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

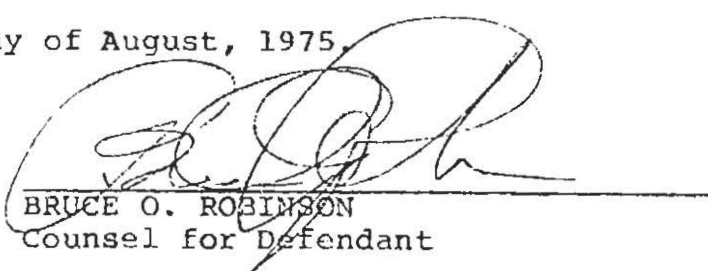
NOTICE OF HEARING

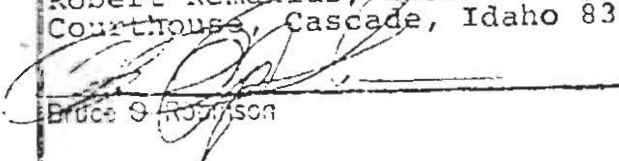
TO: The Attorney General's Office, Lynn Thomas, Deputy Attorney General, and Robert Remaklus, Prosecuting Attorney.

NOTICE IS HEREBY GIVEN that the Defendant's Motion for Discovery and Inspection will be called up for hearing before this Court in the Courthouse at Boise, Idaho, on the 4th day of September, 1975, at the hour of 3:30 o'clock P.M., or as soon thereafter as counsel can be heard.

Dated this 28th day of August, 1975.

I certify that on the 2nd day of SEPT, 1975, I placed in the U. S. Mail at Nampa, Idaho, postage prepaid, a copy of the foregoing instrument addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen.,
Statehouse, Boise, Idaho 83702;
Robert Remaklus, Pros. Att., Valley Cty.
Courthouse, Cascade, Idaho 83611


BRUCE O. ROBINSON
Counsel for Defendant


Bruce O. Robinson

Page 2 and FINAL- MOTION FOR DISCOVERY AND INSPECTION

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*Mary A. Hill, Clerk
J.W. Critchlow, Deputy*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

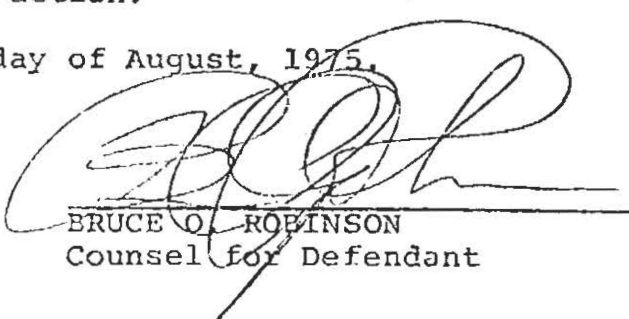
Case No. 2165-CR

NOTICE OF ASSOCIATION OF
CO-COUNSEL

TO: The Clerk of the above-captioned Court; the Plaintiff,
The State of Idaho, and its counsel of record, Lynn
Thomas, Deputy Attorney General of the State of Idaho,
and Robert Remaklus, Prosecuting Attorney, Valley
County, Cascade, Idaho.

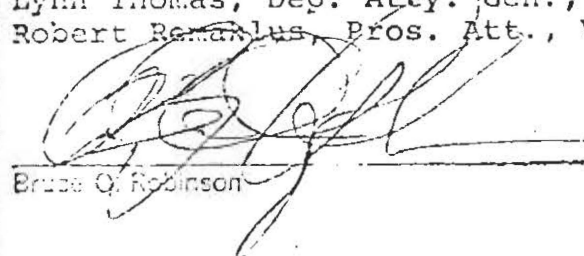
YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that ROBERT
L. JONES, Attorney at Law, and GARY H. LEW, Legal Intern, both
of the law firm, ROBINSON & JONES, P.A., P. O. Box 8, Nampa,
Idaho 83651, are hereby associated as co-counsel for the Defen-
dant in the above entitled action.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

Let it be the 2nd day of SEPT, 1975,
by the U.S. Marshal at Nampa, Idaho, post-
ed and a copy of the foregoing instrument
addressed to Counsel for Plaintiff

Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83702
Robert Remaklus, Pros. Att., Valley Cty. Courthouse, Cascade, Idaho
83611


Bruce O. Robinson

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*many a list, signed,
J.W. Cretcher clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

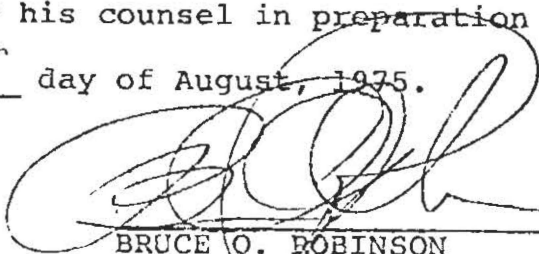
Case No. 2165-CR

M O T I O N

COMES NOW the Defendant, by and through his Counsel
of record, BRUCE O. ROBINSON, and moves the Court for its
Order allowing the Defendant to use a typewriter and writing
paper during his incarceration in the Shoshone County jail,
Wallace, Idaho, awaiting trial to commence October 6, 1975.

This Motion is made on the grounds that said Defendant,
THOMAS EUGENE CREECH, is in need of said equipment and material
for his use in assisting his counsel in preparation for trial.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

NOTICE OF HEARING

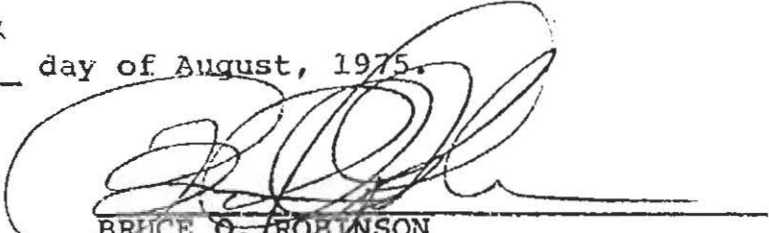
TO: The Attorney General's Office, Lynn Thomas, Deputy
Attorney General, and Robert Remaklus, Prosecuting
Attorney.

NOTICE IS HEREBY GIVEN that the Defendant's Motion

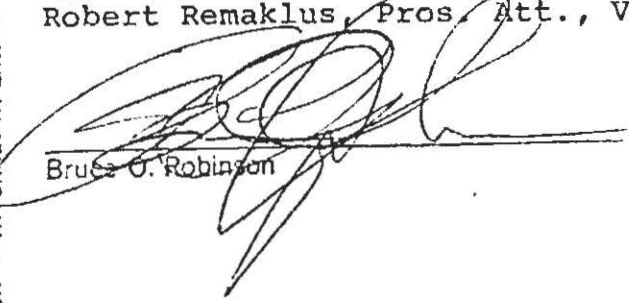
1- MOTION

for allowance of special equipment and material to the Defendant,
will be called up for hearing before this Court in the Courthouse
at Boise, Idaho, on the 4th day of September, 1975, at
3:30 o'clock P.M., or as soon thereafter as counsel can
be heard.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

I certify that on the 2nd day of ^{SEPT} Aug., 19 75,
I placed in the U. S. Mail at Nampa, Idaho, post-
age prepaid, a copy of the foregoing instrument
addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83702
Robert Remaklus, Pros. Att., Valley Cty. Courthouse, Cascade, Idaho
83611


Bruce O. Robinson

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*Mary A. Hill, Deputy
J.W. Crutcher, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

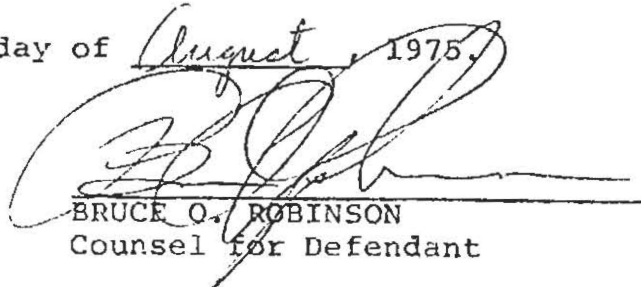
* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	<u>MOTION FOR PRE-TRIAL CONFERENCE</u>
-VS-)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

COMES NOW the Defendant, by and through his Counsel
of record, BRUCE O. ROBINSON, and moves the Court for its Order
setting a Pre-Trial Conference in this matter to be held on the
3rd day of October, 1975, at the hour of 9:30 o'clock A.M.,
at the Courthouse in Wallace, Idaho.

This Motion is made and based upon the records and
files in said action, and pursuant to Rule 17.1 of the Idaho Rules
of Criminal Procedure.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

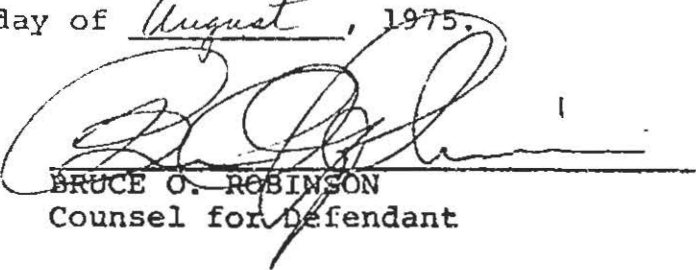
NOTICE OF HEARING

TO: The Attorney General's Office, Lynn Thomas, Deputy
Attorney General, and Robert Remaklus, Prosecuting
Attorney, Cascade, Idaho.

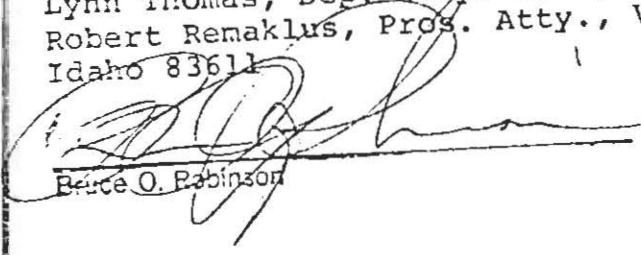
1- MOTION FOR PRE-TRIAL CONFERENCE

NOTICE IS HEREBY GIVEN that the Defendant's Motion for Pre-Trial Conference will be called up for hearing before this Court in the Courthouse at Boise, Idaho, on the 4th day of September, 1975, at the hour of 3:30 o'clock P.M., or as soon thereafter as counsel can be heard.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

I certify that on the 2nd day of Sept. 1975,
I placed in the U. S. Mail at Nampa, Idaho, post-
age prepaid, a copy of the foregoing instrument
addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83701
Robert Remaklus, Pros. Atty., Valley Cnty. Courthouse, Cascade,
Idaho 83611


Bruce O. Robinson

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*Mary A. Hill, Deputy
J. W. Crutcher, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR

MOTION FOR ALLOWANCE OF
SUBPOENA OF WITNESSES

COMES NOW the Defendant, by and through his counsel
of record, BRUCE O. ROBINSON, and moves the Court for its Order
allowing the issuance of Subpoenas for the following listed
witnesses to be called by the defense, the fees and mileage there-
for to be charged against the County.

This Motion is made pursuant to Rule 17(a) of the Idaho
Rules of Civil Procedure and Idaho Code §19-3008, based upon the
fact that said witnesses' evidence is material to the defense
of this matter and the Defendant cannot safely go to trial without
them. This Motion is further made and based on the Affidavit
filed concurrently herewith.

The witnesses to be called are as follows:

The Rt. Rev. Hanford L. King, 519 W. Washington,
Boise, Idaho;

Bishop Sylvester W. Treinen, 420 W. Idaho, Boise,
Idaho;

1- MOTION FOR WITNESSES TO BE SUBPOENAED

Edwin Z. Stuart, Rt. #1, Box 214, Cataldo, Idaho;

Sheriff Darrold Lyndskey, Valley County Sheriff,
Cascade, Idaho;

Sheriff Lou Gardner, Shoshone County Sheriff,
Wallace, Idaho'

Jon Barnes, S. Maple Grove Rd., Boise, Idaho'

~~Dr. Michael Estess, 6003 Overland Rd., Boise, Idaho;~~

Dr. J. O. Boxall, 824 17th Ave. So., Nampa, Idaho;

Dr. David Weeks, 200 N. 3rd, Boise, Idaho;

~~Sheriff Chuck Palmer, Ada County Sheriff, Boise, Idaho;~~

~~Dr. F. LaMar Heyrend, 6003 Overland Rd., Boise, Idaho;~~

Charles Horner, Ada County jail, Boise, Idaho;

Lt. Dave Segel, Ada County Sheriff's Office, Boise,
Idaho;

Sgt. Tom Taylor, Ada County Sheriff's Office, Boise,
Idaho;

~~Bud Mason, Chief of Narcotics, 7225 Bethel, Boise,
Idaho;~~

~~Carol Spaulding, Idaho State Penitentiary, Boise,
Idaho;~~

Dr. A. M. Peterson, Wallace, Idaho

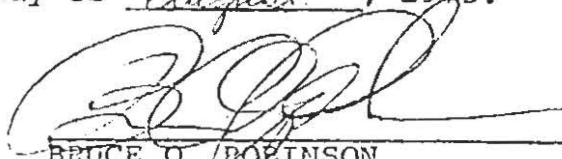
Anton Szandor LaVey, San Francisco, California;

Gene Elsheimer, Chief Deputy, Shoshone County Sheriff's
Office, Wallace, Idaho;

John Wickersham, Nampa, Idaho;

Bill Creech,

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

NOTICE OF HEARING

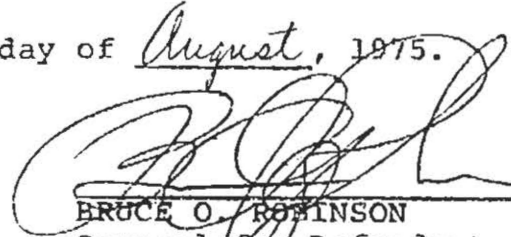
TO: The Attorney General's Office, Lynn Thomas, Deputy
Attorney General, and Robert Remaklus, Prosecuting

2- MOTION FOR WITNESSES TO BE SUBPOENAED

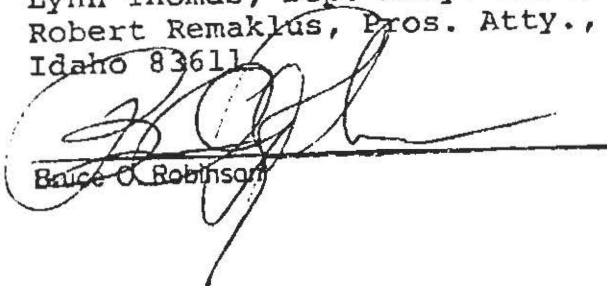
Attorney.

NOTICE IS HEREBY GIVEN that the Defendant's Motion for Witnesses to be Subpoenaed will be called up for hearing before this Court in the Courthouse at Boise, Idaho, on the 4th day of September, 1975, at the hour of 3:30 o'clock P.M., or as soon thereafter as counsel can be heard.

Dated this 28th day of August, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

I certify that on the 2nd day of Sept. 1975,
I placed in the U. S. Mail at Nampa, Idaho, post-
age prepaid, a copy of the foregoing instrument
addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83701
Robert Remaklus, Pros. Atty., Valley Cnty. Courthouse, Cascade,
Idaho 83611


Bruce O. Robinson

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 5 1975

*Mary A. Hill, deputy
J. W. Crotcher, clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	AFFIDAVIT IN SUPPORT OF MOTION
-vs-	)	FOR ALLOWANCE OF SUBPOENA
	)	OF WITNESSES
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

STATE OF IDAHO)
) ss.
County of Canyon)

BRUCE O. ROBINSON, after being first duly sworn,
deposes and says:

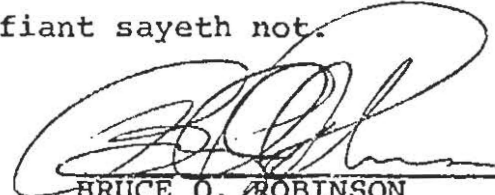
That he is Counsel of record for the Defendant,
THOMAS EUGENE CREECH, and makes this Affidavit in support
of Defendant's Motion for Allowance of Subpoena of Witnesses,
the fees and mileage therefor to be charged against the County.

Your affiant states that all of the witnesses
listed in the Motion, to be called by the defense, are necessary
and proper and their evidence is material to the defense. That
the testimony of each of said witnesses will be directed to
the character and personality of the defendant, his life's past
and mental defect, and his involvement in motivation of his
Idaho charges. That the Defendant cannot safely go to trial
without said testimony.

1- AFFIDAVIT IN SUPPORT OF MOTION FOR ALLOWANCE OF SUBPOENA OF
WITNESSES


That some of the Subpoenas for said witnesses have already been issued for reason that the Court was not available and that lead time for said Subpoenas was necessary to advise those being subpoenaed that they would be called to Wallace, Idaho, allowing them the ability to arrange their schedules and their work and professional activities to make themselves available to said Subpoenas.

Further, your affiant sayeth not.

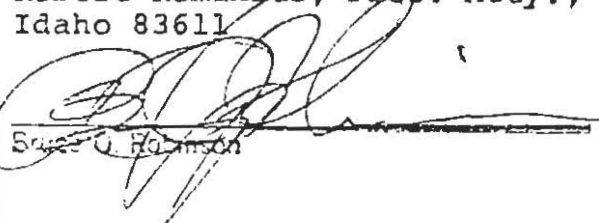

BRUCE O. ROBINSON
Counsel for Defendant

SUBSCRIBED and SWORN to before me this 28th day of August, 1975.

(SEAL)


Linda D. Thompson
Notary Public for Idaho
Residence; Nampa, Idaho

I certify that on the 2nd day of Sept. 19 75,
I placed in the U. S. Mail at Nampa, Idaho, postage prepaid, a copy of the foregoing instrument addressed to Counsel for Plaintiff
Lynn Thomas, Dep. Atty. Gen., Statehouse, Boise, Idaho 83701
Robert Remaklus, Pres. Atty., Valley Cnty. Courthouse, Cascade, Idaho 83611


Bruce O. Robinson

2 and FINAL- AFFIDAVIT IN SUPPORT OF MOTION FOR ALLOWANCE OF SUBPOENA OF WITNESSES

ROBERT H. REMAKLUS
VALLEY COUNTY PROSECUTING ATTORNEY
P.O. BOX 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

FILED
A.M. _____ P.M. _____
SEP 8 1975
*miss a full deputy
J. W. Kriden clerk*

ATTORNEYS FOR PLAINTIFF

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,)	
)	
Plaintiff,)	
	)	NO. 2165
v.)	
	)	<u>O R D E R</u>
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

The Court having reviewed the foregoing PLAINTIFF'S
MOTION FOR DISCOVERY and considered the contents thereof,
it is hereby ordered as follows:

I. That the Defendant shall permit the Plaintiff's
counsel to inspect and copy or photograph books, papers, doc-
uments, photographs, tangible objects or copies or portions
thereof, which are within the possession, custody or control
of the Defendant and which Defendant intends to introduce
in evidence at trial;

II. That the Defendant shall permit the Plaintiff to
inspect and copy or photograph any results or reports of
physical or mental examinations and of scientific tests or
experiments made in connection with this case, or copies
thereof, within the possession or control of the Defendant,
which Defendant intends to introduce in evidence at trial,

or which were prepared by a witness whom Defendant intends to call at the trial when the results or reports relate to testimony of the witness;

III. That the Defendant shall furnish the Plaintiff a list of names and addresses of all witnesses Defendant intends to call at trial;

IV. That the Defendant furnish the aforesaid list of witnesses, permit the inspection of the aforesaid documents and tangible objects, and furnish the aforesaid reports of examinations and tests on or before the 12th day of September, 1975, and further, that the aforesaid list of defense witnesses shall be furnished by mailing copies thereof to the prosecuting attorneys on or before the said date, and that the other incidents of discovery herein referenced be conducted on the 12th day of September, 1975, or other time agreeable to all parties, at the office of Defendant's counsel in Nampa, Idaho.

DATED This 8th day of September, 1975.


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

No. 2165

O R D E R

Sept. 5, 1975

*Filed Sept 8,
1975*

*J. [Signature]
[Signature]*

Plaintiff's Motion For Psychiatric Study came on before the court on the 5th day of September, 1975, and the court, being fully advised in the premises and in the law, and no objection having been made by the Defendant, now, therefore,

IT IS ORDERED That the Plaintiff's Motion For Psychiatric Study be granted and the Defendant, THOMAS EUGENE CREECH, is ordered to submit to complete psychiatric interviews and examination by Dr. F. LaMarr Heyrend, Boise, Idaho, at such times as the said Dr. F. LaMarr Heyrend may determine, and to complete psychological testing by a psychologist to be designated by the said Dr. F. LaMarr Heyrend.

The report of the said examining psychiatrist and psychologist should include:

- a. A description of the nature of the examination;
- b. A diagnosis of the mental condition of the defendant;
- c. If the defendant suffers from a mental disease or defect, an opinion as to his capacity to understand the proceedings against him and to assist in his own defense;
- d. An opinion as to the extent, if any, to which the capacity of the defendant to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements

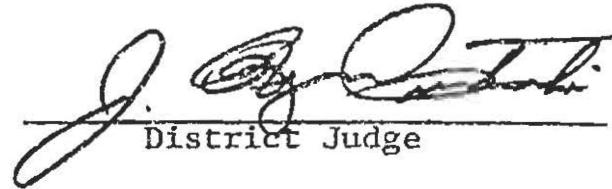
of law was impaired at the time of the criminal conduct charged and

e. An opinion as to the capacity of the defendant to entertain mental states of malice aforethought and premeditation, all pursuant to the requirements of Idaho Code §18.211.

The said report shall be submitted as soon as practicable, but in any event not later than 1 October, 1975.

Defendant shall submit to such number of examinations as shall be necessary in the judgment of the examining psychiatrist.

DATED This 24 day of September, 1975.


District Judge

ORDER, P. 2

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

*Mary A. Hill Deputy
J.W. Creech, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

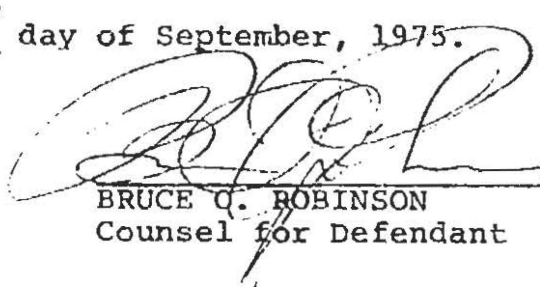
STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR

MOTION TO SUPPRESS EVIDENCE

COMES NOW the Defendant, above named, and moves this Court to Order a suppression of the Voluntary Statement allegedly made by the Defendant, THOMAS EUGENE CREECH, on or about the 8th day of November, 1974, for reason that the said Voluntary Statement was taken at a time when the said THOMAS EUGENE CREECH was under the influence of non-prescriptive drugs, i.e., LSD (window-pane form) and then and there not in control of his mental faculties, and not aware of the cautions and warnings he had been given in being entitled to counsel and his right not to make any statements without the advice and presence of counsel.

Dated this 10th day of September, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

Mary A. Hill Copley
J.W. Creech Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR

MOTION FOR SEPARATE EXAMINATION
OF JURORS

COMES NOW the Defendant, above named, and moves the Court for its Order allowing the selection of the Jury to proceed by examination of each prospective juror out of the physical presence and hearing of the other prospective jurors. This Motion is based upon the fact that this cause heretofore had been scheduled for trial and the selection of a jury attempted in Cascade, Idaho, on or about the 20th day of May, 1975, and that the selection of the jury was not attained for reason of prejudice expressed or shown.

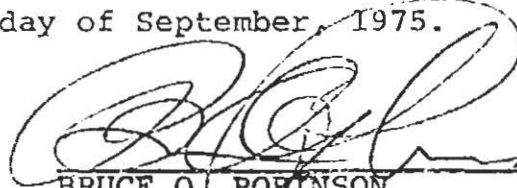
This Motion is further based upon the premise that each of the jurors queried on their qualifications to sit as a juror in this matter must be done in a manner so that the answers given by other jurors will not be adopted by the later queried jurors, and an unsound result be obtained therefrom.

It is recognized by the Defendant that this is a matter solely within the discretion of the Court and that there is no

1- MOTION FOR SEPARATE EXAMINATION OF JURORS

binding effect of any precedent on the Court in a matter of this nature. The Defendant, however, does strongly urge the Court to approve this manner of selecting the jury in the best interest of justice and all parties concerned.

Dated this 17th day of September, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

BRUCE O. ROBINSON · ATTORNEY AT LAW · P. O. BOX 8 · NAMPA, IDAHO 83651

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

*Mary A. Hill Deputy
J.W. Churchill Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

*, * * * *

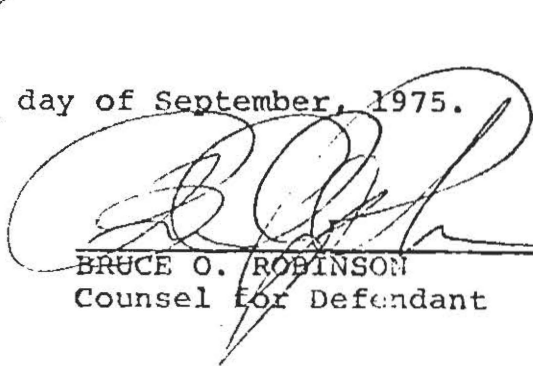
STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR
MOTION FOR CHANGE OF
LOCATION OF TRIAL

COMES NOW the Defendant, by and through his counsel
of record, and moves this Court for its Order allowing a change
of location of the trial in the above entitled action, from
Wallace, Shoshone County, Idaho, to Boise, Ada County, Idaho,
said trial to commence as scheduled on October 6, 1975.

This Motion is made and based upon the Affidavit
filed concurrently herein and upon the records and files in
this action.

Dated this 10th day of September, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

MOTION FOR CHANGE OF LOCATION OF TRIAL

14 Spokane Daily Chronicle, Tuesday, Sept. 2, 1973.

Murder Trial Expected Long

BOISE, Idaho (AP) — A murder trial which attorneys say may be the longest in Idaho history has been scheduled to start Oct. 6 in Wallace, District Judge J. Ray Durtschi said Monday.

Durtschi said he didn't know how long the trial may last, but Bruce O. Robinson of Nampa estimated it will take three to six weeks for him to present a defense for Thomas Eugene Creech, 24.

Creech is charged with slaying Thomas Edward Arnold, 34, Lancaster, Tex., and John Wayne Bradford, 40, Brownsboro, Ala., and leaving their bodies alongside the highway south of Donnelly last November.

The trial was transferred to Wallace last May when Durtschi ruled Creech could not receive a fair trial in

Cascade because of pre-trial publicity.

Creech, a former church sexton at Portland, Ore., also is wanted by Oregon authorities.

He faces first-degree murder charges in that state in a pair of 1974 shooting deaths.

Ada County Sheriff E. C. Palmer says Creech has been taken to several different states to lead authorities on searches for bodies of murder victims. In May Creech narrowly escaped injury when a plane crash landed on the desert while bringing him back from Barstow, Calif.

EXHIBIT "1"

Statement Sept 2, 1975

Judge Sets Trial Date For Creech

The Associated Press

The first degree murder trial of Thomas Eugene Creech, which may be one of the longest in Idaho history, will begin Oct. 6 in Wallace, District Judge J. Ray Durtschi said Monday.

Durtschi said he didn't know how long the trial may last, but Creech's attorney, Bruce O. Robinson of Nampa, said it will take three to six weeks for the defense to present its case.

Creech, 24, is charged with slaying Thomas Edward Arnold, 34, Lancaster, Tex., and John Wayne Bradford, 40, Brownsboro, Ala., and leaving their bodies alongside the highway south of Donnelly last November.

Creech's trial was transferred from Valley County to Wallace last May when Durtschi ruled that because of pretrial publicity Creech could not receive a fair trial in Cascade.

After Durtschi's decision to move the trial, Creech was shuffled from jail to jail. He has been held periodically in the Idaho County jail in Grangeville and in the Ada County jail in Boise.

Early in August, he was transferred to the modern Shoshone County jail in Wallace.

Less than a week after he was transported to Wallace to await his trial, Creech was hospitalized for a brief time after he fell from his cell bunk.

Ada County Sheriff E.C. Palmer says Creech has been taken to several different states to lead authorities on searches for bodies of murder victims.

In May, Creech narrowly escaped injury when a plane crash-landed on the desert while bringing him back from Barstow, Calif.

ERICE O. ROBINSON : ATTORNEY AT LAW : P. O. BOX 8 : NAMPA, IDAHO 83051

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ERICE O. ROBINSON : ATTORNEY AT LAW : P. O. BOX 8 : NAMPA, IDAHO 83051

aspects of the publication by the media as to the circumstances involving the Defendant, Thomas Eugene Creech, and the reasons for this Court declaring a mistrial on May 22, 1975 in Valley County, Idaho, as a result of the Court's determination that an unbiased, unprejudiced jury could not be selected in the said Valley County, State of Idaho, to try this case.

Your affiant did on or about the 10th day of July, 1975, and again on the 7th day of August, 1975, argue to the Court that the above entitled matter could be tried in the city of Boise, Ada County, State of Idaho, as well as the same could be tried at Wallace, Shoshone County, State of Idaho. The Court, however, at that time, and under the circumstances and information then available to the Court, transferred the venue of the case to Wallace, Shoshone County, State of Idaho.

The events which have now taken place since the Court's decision are that no Judge normally sitting in the First District of the State of Idaho could break from their schedule and calendars to preside at the trial of this matter and the Judge to be appointed was remanded to the consideration of the Court Coordinator attached to the Supreme Court of the State of Idaho. His Honor, the Honorable J. Ray Durtschi, has been reappointed to preside at the trial of this matter and the said Judge Durtschi resides in the City of Boise and has his chambers there.

That the prospective witnesses to be called to testify in this matter, for the most part, reside in Southwestern Idaho, and since the trial of this matter appears to be one which will be protracted and of lengthy duration, the expenses to be incurred by both the State and the defense are prohibitive.

Your affiant has, for a period of two months, been attempting to obtain housing arrangements for himself and staff in the Wallace area, to no avail. Your affiant has been seeking

2- AFFIDAVIT IN SUPPORT OF MOTION FOR CHANGE OF LOCATION OF TRIAL

either a home, an apartment, or a trailer home, and finds none to be available. Your affiant believes and therefore states that housing facilities for the witnesses will be practically non-existent. Your affiant believes and therefore states that should a jury be necessary in this case, the jury would be sequestered after their selection and adequate housing facilities for the jury would not be readily available.

The Ada County jail facilities are as adequate as are the jail facilities of Shoshone County, and the overall security of the Ada County Court and jail facilities are as much, if not greater than the facilities of Shoshone County.

The personnel involved in the prosecution of this case are from the State of Idaho, i.e., Cascade, Idaho, and Boise, Idaho. Counsel for the defendant resides at Nampa, Idaho.

The area of Ada County, State of Idaho, has a much greater population than the area of Shoshone County, Idaho, and, therefore, a larger populated group from which to select a jury.

On the 2nd day of September, 1975, when there had in fact been absolutely no activity in the above entitled case, the Idaho Statesman again published an account of the Creech case, as a reminder to its reading public that the case was still pending and scheduled for trial October 6, 1975. A copy of this publication is attached hereto and marked Exhibit "1". This information originally from the Statesman at Boise, Idaho, was apparently put on the news wires since it was published almost verbatim in the Spokane Daily Chronicle on Tuesday, September 2, 1975. A copy of said publication is attached hereto marked Exhibit "2". The Spokane Daily Chronicle has a general circulation in the Northern Idaho area and specifically in Coeur D'Alene, Kellogg and Wallace.

The article published by the Statesman, and news wired,

3- AFFIDAVIT IN SUPPORT OF MOTION FOR CHANGE OF LOCATION OF TRIAL

relates among other things the following: "Ada County Sheriff, E. C. Palmer says Creech has been taken to several different states to lead authorities on searches for bodies of murder victims". It is your affiant's belief, and he therefore states that the new medias' releases made in late 1974 and up until this Court's Publicity Order dated May 27, 1975, have had a prejudicial effect in all areas of the State of Idaho, including Wallace, Idaho. That the recent publication on September 2, 1975, and released by the news wire service to the Spokane Daily Chronicle, has had a much more prejudicial effect on the city of Wallace, Idaho, than the same has had on the City of Boise.

Your affiant believes and therefore states that Wallace, Idaho, being the small community that it is, has been, and is more effected by the media releases for the fact that Thomas Eugene Creech is to be tried in their communtiy, than does the effect of the new publications and opinions by the City of Boise. In the City of Boise, Ada County, the Thomas Eugene Creech case would not be the only activity going on in the County.

The extra costs of transportation for all persons involved, including attorneys, their staff and witnesses, make the trial of this matter in Wallace, Idaho, economically prohibitive.

On or about the 5th day of September, 1975, your affiant did advise this Court of the total aspects of the defendant's theories to produce at the trial of this matter. Those expounded by your affiant would include the probable full disclosure of all activities the Defendant has engaged in in his lifetime. The theories of the defense, in your affiant's opinion, will be undisputed by this court for the purpose of showing the entire character of the defendant, which the jury is entitled to know. The theories expounded for full disclosure, in the estimation

4- AFFIDAVIT IN SUPPORT OF MOTION FOR CHANGE OF LOCATION OF TRIAL

of your affiant, would be advantageous for all purposes to show motivation of the Defendant in the circumstance of the two deaths he is accused of in the State of Idaho.

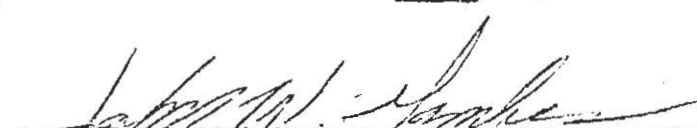
It is your affiant's belief, and he therefore states that whether this case is tried to the Court sitting without a jury, or to the Court with a jury, that a fair, unbiased and unprejudiced trial can be held in the City of Boise, Ada County, State of Idaho. For all of the above-mentioned reasons, your affiant does sincerely submit to the Court's consideration, the Motion to set the locale for the trial in the above entitled matter in the City of Boise, Ada County, State of Idaho, to commence as scheduled on the 6th day of October, 1975.

Dated this 10th day of September, 1975.


BRUCE O. ROBINSON

SUBSCRIBED and SWORN to before me this 10th day of September, 1975.

(SEAL)


Notary Public for Idaho
Residence: Nampa, Idaho

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

*Mary A. Hill deputy
Jill Chulshen clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF VALLEY

* * * * *

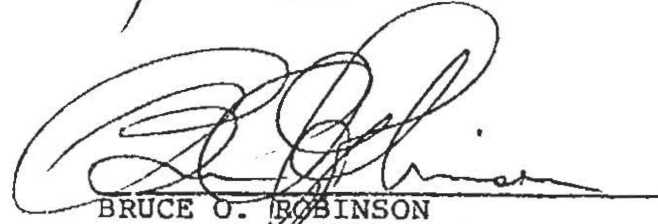
STATE OF IDAHO,)	
	)	Case No. 2165-CR
Plaintiff,)	
	)	MOTION FOR TRIAL TO THE COURT
-vs-	)	WITHOUT A JURY
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
)	

COMES NOW, THOMAS EUGENE CREECH, by and through his Counsel of Record, BRUCE O. ROBINSON, and moves the Court to grant an Order allowing this matter to be tried to the Court setting without a jury. This motion is based upon the belief of the Defendant and his counsel that a true legal interpretation of the facts of circumstances warrants only a finding of second degree murder in the occurrences which took place in the state of Idaho that are subject matter of these charges. This motion is further based upon the fact that there has heretofore been prejudicial news media released which will be extremely difficult to cure and correct in any local in the state of Idaho. This motion is also based upon the fact that in the recitation of witnesses testimony the extreme coarse, crude and profane language which is a part and parcel of the entire state and defense presentation will in and of itself cause prejudice among the various members of

1- MOTION

the jury. The testimony of witnesses and statements to be admitted contain such coarse, crude and profane language that the jury members will suffer extreme embarrassment which may in and of itself be a cause for juror challenging and difficulty in selecting a fair, unbaised and unprejudice jury.

Dated this 10th day of September, 1975.



BRUCE O. ROBINSON
Attorney for Defendant

BRUCE O. ROBINSON · ATTORNEY AT LAW · P. O. BOX 8 · NAMPA, IDAHO 83651

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

*man of the hour
J. W. Crotcher, clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-VS-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR
CERTIFICATE OF MAILING

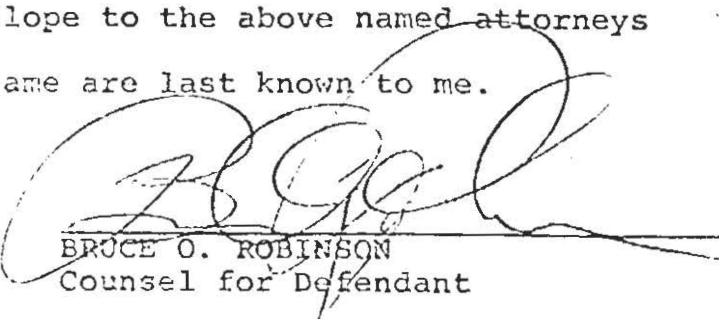
I hereby certify that on the 10th day of September,
1975, I served a copy of the following listed documents:

Motion for Trial to the Court Without a Jury;
Defendant's List of Witnesses in Response to
Court's Discovery Order;
Motion for Change of Location of Trial;
Affidavit in Support of Motion for Change of
location of trial;
Motion for Separate Examination of Jurors;
Motion to Suppress Evidence.

in the above entitled action upon the following:

LYNN THOMAS, Deputy Attorney General, Statehouse, Boise, Idaho
83702; and
ROBERT REMAKLUS, Prosecuting Attorney Valley County Courthouse,
Cascade, Idaho 83611

by depositing a copy of the same in the United States mail,
postage prepaid, in an envelope to the above named attorneys
at their addresses as the same are last known to me.


BRUCE O. ROBINSON
Counsel for Defendant

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 10 1975

*Miss A. Hill Deputy
J.W. Crutcher, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR

DEFENDANT'S LIST OF WITNESSES
IN RESPONSE TO COURT'S
DISCOVERY ORDER

The names and addresses of all prospective witnesses
anticipated to be called by the Defendant, at the present time
are as follows:

The Rt. Rev. Hanford L. King, 519 W. Washington
Boise, Idaho;

Bishop Sylvester W. Treinen, 420 W. Idaho, Boise,
Idaho;

Edwin Z. Stuart, Rt. #1, Box 214, Cataldo, Idaho;

Sheriff Darrold Lyndskey, Valley County Sheriff,
Cascade, Idaho;

Sheriff Lou Gardner, Shoshone County Sheriff,
Wallace, Idaho;

Jon Barnes, S. Maple Grove Rd., Boise, Idaho;

Dr. Michael Estess, 6003 Overland Rd., Boise, Idaho;

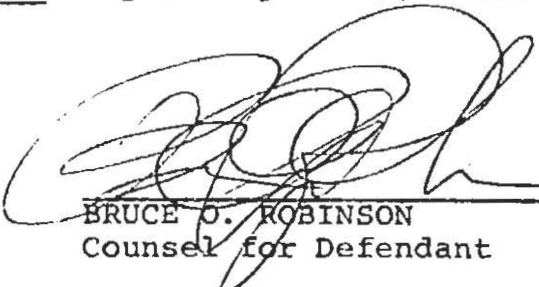
Dr. J. O. Boxall, 824 17th Ave. So., Nampa, Idaho;

Dr. David Weeks, 200 N. 3rd, Boise, Idaho;

Sheriff Chuck Palmer, Ada County Sheriff, Boise,
Idaho;

1- DEFENDANT'S LIST OF WITNESS IN RESPONSE TO COURT'S DISCOVERY
ORDER

Dr. F. LaMar Heyrend, 6003 Overland Rd., Boise, Idaho;
Charles Horner, Ada County jail, Boise, Idaho;
Lt. Dave Segel, Ada County Sheriff's Office, Boise,
Idaho;
Sgt. Tom Taylor, Ada County Sheriff's Office, Boise,
Idaho;
Bud Mason, Chief of Narcotics, 7225 Bethel, Boise, Idaho;
Carol Spaulding, Idaho State Penitentiary, Boise, Idaho;
Dr. A. M. Peterson, Wallace, Idaho;
Anton Szandor LaVey, San Francisco, California;
Gene Elsheimer, Chief Deputy, Shoshone County Sheriff's
Office, Wallace, Idaho;
John Wickersham, Nampa, Idaho;
Bill Creech, Cincinnati, Ohio;
Lynn Plowman, Meridian, Idaho;
Jim Hileman, Adams County Sheriff, Council, Idaho;
Tom Ambrose, 738 Ridenbaugh, Boise, Idaho;
Dated this 10th day of September, 1975.


BRUCE O. ROBINSON
Counsel for Defendant

ROBERT H. REMAKLUS
Valley County Prosecuting Attorney
P.O. Box 759
Cascade, Idaho 83611
Telephone: 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

ATTORNEYS FOR PLAINTIFF

FILED
A.M. P.M.
SEP 10 1975
Mary A. Hill - Deputy
J.W. Crutcher - Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

No. 2165

MOTION IN LIMINE

The State of Idaho moves that the following be excluded
at trial for the reasons stated:


- A. Evidence of the Defendant's alleged involvement with satanic cults and of his alleged witness to human sacrifices performed in connection therewith, for the reason that such evidence is irrelevant;
- B. The testimony of Anton Azandor Lavey on any matter not related to facts tending to prove or disprove the charges pending against defendant, for the reason that such testimony would be irrelevant;
- C. Evidence of other crimes which Defendant is purported to have committed except to the extent that such evidence is relevant when tested by existing case law standards governing the admissibility of such evidence, for the reason of irrelevance;
- D. Evidence of the Defendant's alleged involvement with criminal syndicates, prominent public figures and others in criminal enterprises unless such evidence is shown to be relevant to proof or disproof of the charges pending against Defendant, herein, for the reason of irrelevance;
- E. Evidence of or related to the philosophy of satanism, exorcism, possession by demons and any related evidence, on the ground of irrelevance;

F. Evidence of the Defendant's purported involvement with motorcycle gangs except to the extent that such may be legitimately relevant to issues raised by the pending charges.

Plaintiff further moves that in the event Defendant plans to offer evidence in any of the above categories, Defendant be required to show the substance of such testimony prior to trial in order that its relevance or lack thereof may be determined in advance of trial.

DATED This 10th day of September, 1975.

ROBERT H. REMAKLUS
Valley County Prosecuting Attorney.



LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

ATTORNEYS FOR THE
STATE OF IDAHO

CERTIFICATE OF MAILING

I HEREBY CERTIFY That a true and correct copy of the foregoing MOTION IN LIMINE was placed in the United States mail, postage prepaid, and addressed to BRUCE O. ROBINSON, P.O. Box 8, Nampa, Idaho 83651, Attorney for Defendant.

DATED This 10th day of September, 1975.


JAMES F. KILE
Assistant Attorney General
State of Idaho

MOTION IN LIMINE, P. 2

In the District Court of the Fourth Judicial District of the
State of Idaho, In and For the County of ~~XXX~~ VALLEY

The State of Idaho
Plaintiff

vs

Thomas Eugene Creech
Defendant

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d) I.R.C.P.

FILED

A.M. P.M.

SEP 10 1975

Mary A. Hill Deputy
J.W. Crutcher, Clerk

I, J. W. Crutcher, the undersigned authority, do hereby certify

that I have mailed, by United States mail, one copy of the _____

Motion in Limine

as notice pursuant to Rule 77 (d) I.R.C.P. to each of the attorneys of record in this cause in
envelopes addressed as follows:

Ms Victoria White
Clerk of the District Court
P. O. Box 1049
Wallace, Idaho 83873

Bruce O. Robinson
P. O. Box 8
Nampa, Idaho 83651

Lynn Thomas
State House
Boise, Idaho 83720

Robert H Remaklus
P. O. Box 759
Cascade, Idaho 83611

J. W. CRUTCHER
~~XXXXXXXXXXXXXXXXXXXX~~
CLERK OF THE DISTRICT COURT
Valley ~~XXX~~ County, Idaho

By *Mary A. Hill*
Deputy Clerk

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of September, 1975, I placed in the U. S. Mail at Cascade, Idaho, postage prepaid, a copy of the foregoing Affidavit to Mr. Bruce O. Robinson, Attorney at Law, P. O. Box 8, Nampa, Idaho 83651.

Robert H. Remaklus
Prosecuting Attorney

ROBERT H. REMAKLUS
Valley County Prosecuting Attorney
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

FILED

SEP 15 1975

*Wm. L. Hill, Deputy
J.W. Crutcher, Clerk*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	Criminal Case No.
)	
Plaintiff,)	
	)	AFFIDAVIT IN SUPPORT OF ORDER
vs.	)	FOR COMPULSORY ATTENDANCE OF
	)	WITNESSES
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

STATE OF IDAHO)
County of Valley) ss.

Robert H. Remaklus, being first duly sworn upon oath,
deposes and says:

That he is Prosecuting Attorney of Valley County, Idaho,
and makes this Affidavit in support of Plaintiff's Motion for
an order to be endorsed on each subpoena, for compulsory att-
endance of witnesses in the above entitled action pursuant to the
provisions of Section 19-3009, Idaho Code.

That the testimony and evidence of all the witnesses here-
inafter named are material and that the attendance of all such
witnesses at the trial of the above entitled action is necessary;
that none of such witnesses reside in Shoshone County, Idaho
the County wherein such trial shall be held and none of such
witnesses shall be served with subpoenas in such County.

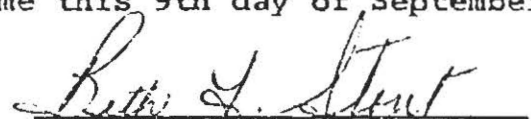
Affidavit in Support of Order for
Compulsory Attendance of Witness

That the names and addresses of such witnesses are as follows:

Loring Beals, 4185, Bristol, Boise, Idaho
Ann Bradley, 2120 Warm Springs Rd, Boise, Idaho
Dr. Michael Estess, 6003 Overland, rd., Boise, Idaho
Johnnie I. Hill, Horseshoe Bend, Idaho
William Hill, Elmore County Sheriff Dept., Mountain Home, Id.
Gene Hawker, Can-Ada Lane, Star, Idaho
Dr. F. Larmar Heyrend, 6003 Overland, Boise, Idaho
Roy Lynn Hull, Horseshoe Bend, Idaho
Lester Kelley, Cascade, Idaho
Alvin R. Mason, 3311 W. State, Boise, Idaho
George Menzik, Elmore County Sheriff Dept., Mt. Home, Idaho
Charles Palmer, Ada County Sheriff, Boise, Idaho
Ted Nelson, Cascade, Idaho
Dr. Delbert E. Scott, 3742 Trail Circle, Boise, Idaho
William Schreiber, 2403, Eighth Avenue, Lewiston, Idaho
Martha Spaulding, 2403 Eighth Avenue, Lewiston, Idaho
Burton Walker, Walker Funeral Home, McCall, Idaho
Wesley Woodall, Route 2, Box 496, Post Falls, Idaho
Richard Gilliam, Boise, Idaho
Laurins Herrick, Cascade, Idaho
Steve Hager, Cascade, Idaho
Earl Breashers, Cascade, Idaho
Steven Paul Rivers, 1432 N.E. 69th, Portland, Oregon


Robert H. Remaklus
Attorney for Plaintiff

SUBSCRIBED AND SWORN to before me this 9th day of September, 1975.


Notary Public for Idaho
Residence: Cascade, Idaho

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 15 1975

*James A. Hill deputy,
J.W. Brutscher clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTIES OF VALLEY AND ADA

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165-CR

ORDER FOR DISCOVERY
AND INSPECTION

The Court having reviewed the Defendant's Motion for
Discovery and Inspection, and considered the contents thereof,
it is hereby ordered as follows:

1. That the Plaintiff shall permit the Defendant's
counsel to inspect and copy or photograph books, papers, documents,
photographs, tangible objects or copies or portions thereof,
which are within the possession, custody or control of the
Plaintiff and which Plaintiff intends to introduce in evidence
at trial;

2. That the Plaintiff shall permit the Defendant to
inspect and copy or photograph any results or reports of physical
or mental examinations and of scientific tests or experiments
made in connection with this case, or copies thereof, within
the possession or control of the Plaintiff, which Plaintiff
intends to introduce in evidence at trial, or which were pre-
pared by a witness whom Plaintiff intends to call at the trial

1- ORDER FOR DISCOVERY AND INSPECTION

when the results or reports relate to testimony of the witness;

3. That the Plaintiff shall furnish the Defendant a list of names and addresses of all witnesses Plaintiff intends to call at trial;

4. That the Plaintiff furnish the aforesaid list of witnesses, permit the inspection of the aforesaid documents and tangible objects, and furnish the aforesaid reports of examinations and tests on or before the 12th day of September, 1975, and further, that the aforesaid list of plaintiff witnesses shall be furnished by mailing copies thereof to the defense counsel on or before the said date, and that the other incidents of discovery herein referenced be conducted on the 12th day of September, 1975, or other time agreeable to all parties, at the office of defendant's counsel in Nampa, Idaho.

Dated this 15th day of September, 1975.


DISTRICT JUDGE

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal no. 2165
)	
Plaintiff,	)	Certificate Under Uniform Act
	)	to Secure Attendance of Witness
vs.	)	(Idaho Code Section 19-3005)
THOMAS EUGENE CREECH)	
)	
Defendant.	*)	

*Filed - 9/15/75 - 9:00 a.m.
J. E. [Signature]
District Judge*

Petition having been filed herein by Robert H. Remaklus,
Prosecuting Attorney for Valley County, State of Idaho,
pursuant to Idaho Code Section 19-3005, that one Steven Paul
Rivers be directed and authorized to appear and attend the
trial in the above entitled matter, on October 9th and October
10th, 1975, and it appearing that said witness is material and
necessary to the prosecution;

It is hereby certified that Steven Paul Rivers be directed
by Judge of a Court of record of Multnomah County, State of
Oregon, to appear and attend the trial in the above entitled
matter, in which trial testimony will commence at ten o'clock
AM. on October 9th, 1975, and that said witness shall be re-
quired to attend such trial for a period of not less than two
(2) days.

IT IS FURTHER ORDERED that said witness will be tendered
mileage and daily allowance provided by law and statutes of the
State of Idaho.

ENTERED this 16th day of September, 1975.

J. E. [Signature]
District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal no.
)	
Plaintiff,)	
	)	PETITION TO COMPEL ATTENDANCE
vs.	)	OF OUT OF STATE WITNESS
)	
THOMAS EUGENE CREECH)	
)	
Defendant.)	
	*)	


COMES NOW Robert H. Remaklus, Prosecuting Attorney of
Valley County, Idaho, and does hereby petition the above en-
titled Court as follows:

1. That trial of the above entitled matter, being a
criminal prosecution upon two counts of murder in the first
degree, is now pending and trial proceedings will commence
Monday, October 6, 1975, at ten o'clock A. M.

2. That Steven Paul Rivers is a material witness for
the State of Idaho in said cause and resides at 1432 N. E.
69th Avenue, Portland, Oregon, a State wherein provision is
made by law to command persons to attend and testify in cri-
minal prosecutions.

WHEREFORE, it is requested that a Certificate be issued
affirming the necessity of said person as a witness and au-
thorizing that he be directed by a Judge of Court of record
in the State of Oregon, County of Multnomah, to appear and
attend such trial for a period of not less than two (2) days.

DATED this 11th day of September, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

STATE OF IDAHO
COUNTY OF IDAHO
DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE
FILED FOR RECORD
CLERK OF DISTRICT COURT
SEP 11 1975

O R D E R

Upon the above Petition and good cause appearing, IT
IS ORDERED that the Clerk of the Valley County Court shall
advance the sum of \$92.74 to Steven Paul Rivers, to be forth-
with delivered as advance witness fees and mileage, to secure
the attendance of said person as a witness in the above en-
titled action from 1432 N.E. 69th Avenue, Portland, Oregon.

Dated this 16th day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)
)
Plaintiff,)
)
vs.)
)
THOMAS EUGENE CREECH,)
)
Defendant. * *)

Criminal case no. 2165

PETITION TO ADVANCE FEES

Filed: 9/15/75 - 9:00 a.m.
J. E. [Signature]
District Judge

Robert H. Remaklus, Prosecuting Attorney of Valley
County, Idaho, request the above entitled Court to direct
the Valley County Clerk to advance \$76.74 as mileage fees,
together with attendance fees in the sum of \$16.00, for out
of State witness required to testify in the trial of the above
cause; said witness resides at 1432 N.E. 69th Avenue, Portland,
Oregon, and the law provides for \$.25 cents per mile: said
witness will be required for two (2) days and the law provides
for attendance fees at the rate of \$8.00 per day.

Dated this 11th day of September, 1975.

[Signature]
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

~~STATE OF IDAHO
COUNTY OF SHOSHONE
CLERK OF DISTRICT COURT
BY _____
DEPUTY~~

In the District Court of the Fourth Judicial District of the
State of Idaho, In and For the County of Ada

The State of Idaho
Plaintiff

VS

Thomas Eugene Cr
Defendant

NO. _____
FILED

A.M. _____ P.M. _____
SEP 15 1975
Mary A. Hill, Deputy
CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d) I.R.C.P.

I, J. W. Crutcher, the undersigned authority, do hereby certify
that I have mailed, by United States mail, one copy of the _____
(listed below)

as notice pursuant to Rule 77 (d) I.R.C.P. to each of the attorneys of record in this cause in
envelopes addressed as follows:

MsVictoria White
Clerk of the District Court
Shoshone County
Box 1049
Wallace, Idaho 83873

Bruce O. Robinson
P. O. Box 8
Nampa, Idaho 83651

Lynn Thomas
Deputy Attorney General
State House
Boise, Idaho 83720

Robert H. Remaklus
P. O. Box 759
Cascade, Idaho 83611

Affidavit in Support of Order for
Compulsory Attendance of Witnesses
Order for Discovery and Inspection
Motion for Separate Examination of
Jurors
Motion to Suppress Evidence
Motion for Change of Location of Trial
Affidavit in Support of Motion for
Change of Location of Trial
Certificate of Mailing
Defendant's List of Witnesses in Re-
sponse to Court's Discovery Order
Motion for Trial to the Court Without
a Jury

The Above plus the following sent
to Clerk of the District Court
Shoshone County:

Petition to Advance Fees
Petition to Compel Attendance
of Out of State Witness
Certificate Under Uniform Act
to Secure Attendance of
Witness

~~XXXXXXXXXXXXXXXXXXXX~~ J. W. CRUTCHER
CLERK OF THE DISTRICT COURT
Valley, Shoshone County, Idaho

By Mary A. Hill
Deputy Clerk

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 17 1975
Dana A. Hill, Deputy
J. W. Crutcher

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,
Plaintiff,
-vs-
THOMAS EUGENE CREECH,
Defendant.

No. 2165

M O T I O N

COMES NOW the above-named Defendant by and through his
Counsel of record, BRUCE O. ROBINSON, Attorney at Law, Nampa, Idaho,
and moves this Court for its Order requiring the 1955 Buick auto-
mobile, ID. #VIN-7B 4066 337 presently being held in Cascade, Idaho,
to be available for viewing by the jury at the site of the trial
of the above-entitled action.

Dated this 17th day of September, 1975.


BRUCE O. ROBINSON
Attorney for Defendant

I certify that on the 17th day of Sept., 1975,
I placed in the U. S. Mail at Nampa, Idaho, post-
age prepaid, a copy of the foregoing instrument
addressed to Counsel for Plaintiff

Lynn Thomas Robert Remaklus,
Deputy Attorney Gen. Prosecuting Attorney
Statehouse Valley County Courthouse
Boise, Idaho 83702 Cascade, Idaho 83611


Bruce O. Robinson

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 22 1975

*Mary A. Hill, Deputy
J. W. Gentry, Clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,
Plaintiff,

-vs-

THOMAS EUGENE CREECH, aka
TOM TURNER, aka JOE CARL
ADAMS, aka RICHARD DENNIS,
JR.,

Defendant.

Case No. 2165-CR

ORDER GRANTING MOTION FOR
SEPARATE EXAMINATION OF JURORS

A Motion having been made by the Defendant in the
above entitled action for separate examination of jurors, and
there being no objections thereto, the Court did Order, and
this does hereby Order that the jurors shall be separately examined
out of the presence and hearing of the other jurors.

Dated this 22d day of September, 1975.

J. B. Gentry
DISTRICT JUDGE

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

*mary a. hill, deputy
J. W. Crutcher clerk*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,
Plaintiff,

-VS-

THOMAS EUGENE CREECH, aka
TOM TURNER, aka JOE CARL
ADAMS, aka RICHARD DENNIS,
JR.,

Defendant.

Case No. 2165-CR

ORDER GRANTING MOTION
FOR PRE-TRIAL CONFERENCE

A Motion having been made by the Defendant in the
above entitled action for a Pre-Trial Conference to be held
at Wallace, Idaho, the Court being fully advised in the
premises, and there being no objection thereto, it is hereby
Ordered, and this does hereby Order that a Pre-Trial Conference
shall be held in the above entitled action at Wallace, Idaho,
on the 3rd day of October, 1975.

Dated this 22d day of September, 1975.

J. W. Crutcher
DISTRICT JUDGE

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
A.M. P.M.
SEP 22 1975
SEP 22 1975

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	
	)	Criminal Case No.
Plaintiff,)	
	)	PETITION TO ADVANCE FEES
vs.)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
	*)	

Robert H. Remaklus, Prosecuting Attorney of Valley
County, Idaho, request the above entitled Court to direct
the Valley County Clerk to advance \$76.74 as mileage fees,
together with attendance fees in the sum of \$16.00, for out
of State witness required to testify in the trial of the above
cause; said witness resides at _____
_____, and the law provides for \$.25 cents per
mile: said witness will be required for two (2) days and the
law provides for attendance fees at the rate of \$8.00 per day.

DATED this 22nd day of September, 1975.

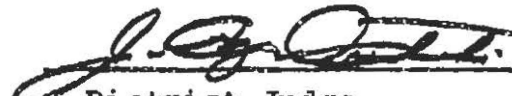
Robert H. Remaklus

Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

O R D E R

Upon the above Petition and good cause appearing,
IT IS ORDERED that the Clerk of the Valley County Court
shall advance the sum of \$92.74 to Linda Crandall, to be
forthwith delivered as advance witness fees and mileage, to
secure the attendance of said person as a witness in the above
entitled action from _____.

DATED this 22d day of September, 1975.


District Judge

BRUCE O. ROBINSON
Attorney at Law
P. O. Box 8
Nampa, Idaho 83651
Phone: 466-9284

FILED

SEP 22 1975

Mary A. Hill Deputy
J. W. Cuddeback Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

* * * * *

STATE OF IDAHO,
Plaintiff,

-vs-

THOMAS EUGENE CREECH, aka
TOM TURNER, aka JOE CARL
ADAMS, aka RICHARD DENNIS,
JR.,

Defendant.

Case No. 2165-CR

ORDER DENYING PLAINTIFF'S MOTION
IN LIMINE

A Motion In Limine having been made by the Plaintiff regarding the exclusion of any and all evidence regarding satanism, demonism, possession, satanic cult, etc., and the court having heard oral argument of counsel, and being then and there fully advised in the premises, Orders and this does hereby Order that the Plaintiff's Motion in Limine is hereby denied, with a specific Order that neither counsel for the Plaintiff nor counsel for the Defendant will offer any evidence relating to such evidence in the presence or hearing of the jury, without giving the Court an opportunity to rule on the same prior to trial. That any counsel that violates this order will be held in contempt of the Court.

Dated this 22 day of September, 1975.


DISTRICT JUDGE

Order Denying Plaintiff's Motion in
Limine

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

20
FILED
A.M. P.M.
SEP 22 1975
County Clerk's Office
J. C. [unclear] Clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,	)	Certificate Under Uniform Act
	)	to Secure Attendance of Witness
vs.)	
	)	(Idaho Code Section 19-3005)
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

Petition having been filed herein by Robert H. Remaklus, Prosecuting Attorney for Valley County, State of Idaho, pursuant to Idaho Code Section 19-3005, that one Linda Crandall be directed and authorized to appear and attend the trial in the above entitled matter, commencing October 6, 1975, and it appearing that said witness is material and necessary to the prosecution;

It is hereby certified that Linda Crandall be directed by Judge of a Court of record of Multnomah County, State of Oregon, to appear and attend the trial in the above entitled matter, in which trial testimony will commence at ten o'clock A.M. on October 6, 1975, and that said witness shall be required to attend such trial for a period of not less than two (2) days and for such other time as the presence of such witness shall be required.

IT IS FURTHER ORDERED that said witness will be tendered mileage and daily allowance provided by law and statutes of the State of Idaho.

ENTERED this 22nd day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED

SEP 22 1975

*mary a hill deputy
J.W. Creech, clerk*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	
	)	Criminal no.
Plaintiff,)	
	)	PETITION TO COMPEL ATTENDANCE
vs.	)	OF OUT OF STATE WITNESS
)	
THOMAS EUGENE CREECH)	
)	
Defendant.)	
	*)	

COMES NOW Robert H. Remaklus, Prosecuting Attorney of
Valley County, Idaho, and does hereby petition the above en-
titled Court as follows:

1. That trial of the above entitled matter, being a
criminal prosecution upon two counts of murder in the first
degree, is now pending and trial proceedings will commence
Monday, October 6, 1975, at ten o'clock A.M.

2. That Linda Crandall is a material witness for the
State of Idaho in said cause and resides at _____
_____ Portland, Oregon, a State wherein
provision is made by law to command persons to attend and
testify in criminal prosecutions.

WHEREFORE, it is requested that a Certificate be issued
affirming the necessity of said person as a witness and aut-
horizing that she be directed by a Judge of Court of record
in the State of Oregon, County of Multnomah, to appear and
attend such trial for a period of not less than two (2) days.

DATED this 22nd day of September, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

Petition to Compel Attendance of
out of State Witness - Linda Crandall

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
Mary A. Hill, deputy
J.W. Crutchfield, clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal Case No.
)	
Plaintiff,	)	PETITION TO ADVANCE FEES
)	
vs.)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
	*)	

Robert H. Remaklus, Prosecuting Attorney of Valley County, Idaho, request the above entitled Court to direct the Valley County Clerk to advance \$89.24 as mileage fees, together with attendance fees in the sum of \$16.00, for out of State witness required to testify in the trial of the above cause; said witness resides at 961- 17th Street Longview, Washington, and the law provides for \$.25 cents per mile: and said witness will be required for two (2) days and the law provides for attendance fees at the rate of \$8.00 per day.

DATED this 22nd day of September, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

O R D E R

Upon the above Petition and good cause appearing,
IT IS ORDERED that the Clerk of the Valley County Court
shall advance the sum of \$105.²⁹ to Becky Hilby , to be
forthwith delivered as advance witness fees and mileage, to
secure the attendance of said person as a witness in the above
entitled action from 961 17th Street Longview, Washington.
DATED this 22 day of Sept., 1975.


District Judge

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED

SEP 22 1975

*James A. Hill deputy
S.W. Crutcher, clerk*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

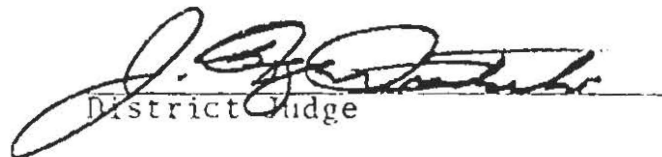
STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,	)	Certificate Under Uniform Act
	)	to Secure Attendance of Witness
vs.)	
	)	(Idaho Code Section 19-3005)
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

Petition having been filed herein by Robert H. Remaklus, Prosecuting Attorney for Valley County, State of Idaho, pursuant to Idaho Code Section 19-3005, that one Becky Hilby be directed and authorized to appear and attend the trial in the above entitled matter, commencing October 6, 1975, and it appearing that said witness is material and necessary to the prosecution;

It is hereby certified that Becky Hilby be directed by Judge of a Court of record of Cowlitz County, State of Washington, to appear and attend the trial in the above entitled matter, in which trial testimony will commence at ten o'clock A.M. on October 6, 1975, and that said witness shall be required to attend such trial for a period of not less than two (2) days and for such other time as the presence of such witness shall be required.

IT IS FURTHER ORDERED that said witness will be tendered mileage and daily allowance provided by law and statutes of the State of Idaho.

ENTERED this 22nd day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED

SEP 22 1975
Mary A. Hill deputy
J.W. Cretchen clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,	)	PETITION TO COMPEL ATTENDANCE
	)	OF OUT OF STATE WITNESS
vs.)	
)	
THOMAS EUGENE CREECH)	
)	
Defendant.)	

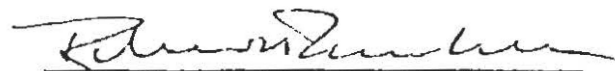
COMES NOW Robert H. Remaklus, Prosecuting Attorney of
Valley County, Idaho, and does hereby petition the above en-
titled Court as follows:

1. That trial of the above entitled matter, being a
criminal prosecution upon two counts of murder in the first
degree, is now pending and trial proceedings will commence
Monday, October 6, 1975, at ten o'clock A.M.

2. That Becky Hilby is a material witness for the State
of Idaho in said cause and resides at 961 - 17th street
Longview, Washington a State wherein provision is made by law
to command persons to attend and testify in criminal prosecutions.

WHEREFORE, it is requested that a Certificate be issued
affirming the necessity of said person as a witness and au-
thorizing that she be directed by a Judge of Court of record in
the State of Washington, County of Cowlitz, to appear and attend
such trial for a period of not less than two (2) days.

DATED this 22nd day of September, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
Marry A Hill, Deputy
J.W. Chute, Clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	
	)	Criminal No.
Plaintiff,)	
	)	CERTIFICATE TO SECURE ATTENDANCE
vs.	)	OF WITNESS IN CUSTODY IN ANOTHER
	)	STATE
THOMAS EUGENE CREECH	)	(Idaho Code Section 19-3018)
)	
Defendant.)	
	*)	

Petition having been filed herein by Robert H. Remaklus,
Prosecuting Attorney for Valley County, State of Idaho, pursuant
to Idaho Code Section 19-3018, that one Gene Hilby be directed
and authorized to appear and attend the trial in the above en-
titled matter, for not less than two (2) days during the week
commencing October 13, 1975, and it appearing that said witness
is material and necessary to the prosecution;

It is hereby certified (1) that the above entitled criminal
action is pending in the above entitled Court wherein the def-
endant is charged with two counts of murder in the first degree, .

(2) that the said Gene Hilby who is in custody of The Corrections
Division of the State of Oregon and now being held by the Drug
Prevention Center, 117 Kelso Drive, at Kelso, Washington, Gene
Hilby is material witness in said action and (3) that the presence
of said Gene Hilby will be required at such trial for not less
than two days commencing October 13, 1975.

DATED this 22nd day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
many a hill deputy
J.W. Critcher clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal No.
Plaintiff,)	
vs.	)	PETITION TO COMPEL ATTENDANCE
THOMAS EUGENE CREECH	)	OF WITNESS
Defendant.)	
	*)	

COMES NOW Robert H. Remaklus, Prosecuting Attorney of
Valley County, Idaho, and does hereby petition the above en-
titled Court as follows:


1. That trial of the above entitled matter, being a
criminal prosecution upon two counts of murder in the first
degree, is now pending and trial proceedings will commence
Monday, October 6, 1975, at ten o'clock A.M.

2. That Gene Hilby is a material witness for the State
of Idaho in said cause and he is in custody of the
Corrections Division of the State of Oregon, being held
at the Drug Prevention Center at 117 Kelso Drive, Kelso, Washington
98626

3. That the presence of said witness, Gene Hilby, will
be required at such trial during the week commencing October
13, 1975.

WHEREFORE, it is requested that a Certificate be issued
affirming the necessity of said person as a witness and au-
thorizing that he be directed by a judge of Court of record in
the State of Oregon, County of Multnomah, to appear and attend
such trial for a period of not less than two (2) days commencing
October 13, 1975.

DATED this 22nd day of September, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO


FILED
SEP 22 1975
Mary A. Hill, Deputy
J.W. Crutcher, Clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,	)	PETITION TO ADVANCE FEES
)	
vs.)	
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

Robert H. Remaklus, Prosecuting Attorney of Valley
County, Idaho, request the above entitled Court to direct
the Valley County Clerk to advance \$333.52 as mileage fees,
together with attendance fees in the sum of \$16.00, for out
of State witness required to testify in the trial of the above
cause; said witness resides at Fairbanks,
Alaska, and the law provides for \$.25 cents per mile: said
witness will be required for two (2) days and the law provides
for attendance fees at the rate of \$8.00 per day.

DATED this 22nd day of September, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

O R D E R

Upon the above Petition and good cause appearing,
IT IS ORDERED that the Clerk of the Valley County Court
shall advance the sum of \$349.52 to Richard Gillilan, to
be forthwith delivered as advance witness fees and mileage, to
secure the attendance of said person as a witness in the above
entitled action from Fairbanks Alaska.

DATED this 24 day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P.O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
Marya Hill deputy
J.W. Crutcher clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE


STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,	)	Certificate Under Uniform Act
	)	to Secure Attendance of Witness
vs.)	
	)	(Idaho Code Section 19-3005)
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

Petition having been filed herein by Robert H. Remaklus,
Prosecuting Attorney for Valley County, State of Idaho, pur-
suant to Idaho Code Section 19-3005, that one Richard Gillilan
be directed and authorized to appear and attend the trial in
the above entitled matter, commencing October 6, 1975, and it
appearing that said witness is material and necessary to the
prosecution;

It is hereby certified that Richard Gillilan be directed
by Judge of a Court of record of the Fourth Judicial District,
State of Alaska, to appear and attend the trial in the above
entitled matter, in which trial testimony will commence at ten
o'clock A.M. on October 6, 1975, and that said witness shall be
required to attend such trial for a period of not less than
two (2) days and for such other time as the presence of such
witness shall be required.

IT IS FURTHER ORDERED that said witness will be tendered
mileage and daily allowance provided by law and statutes of
the State of Idaho.

ENTERED this 22nd day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED

SEP 22 1975

Mary A. Hill, deputy
J.W. Brulew clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal No.
)	
Plaintiff,)	
	)	PETITION TO COMPEL ATTENDANCE
vs.	)	OF OUT OF STATE WITNESS
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
	*)	

COMES NOW Robert H. Remaklus, Prosecuting Attorney of
Valley County, Idaho, and does hereby petition the above en-
titled Court as follows:

1. That trial of the above entitled matter, being a
criminal prosecution upon two counts of murder in the first
degree, is now pending and trial proceedings will commence
Monday, October 6, 1975, at ten o'clock A.M.

2. That Richard Gillilan is a material witness for
the State of Idaho in said cause and resides at _____
_____ Fairbanks, Alaska, a State wherein provision is
made by law to command persons to attend and testify in criminal
prosecutions.

WHEREFORE, it is requested that a Certificate be issued
affirming the necessity of said person as a witness and au-
thorizing that he be directed by a Judge of Court of record in
the Fourth Judicial District, in the State of Alaska, to appear
and attend such trial for a period of not less than two (2) days.

DATED this 22nd day of September, 1975.

Robert H. Remaklus
Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

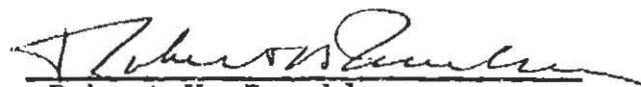
A F F I D A V I T

STATE OF IDAHO)
) ss
COUNTY OF VALLEY)

Robert H. Remaklus, being first duly sworn on upon oath,
deposes and says:

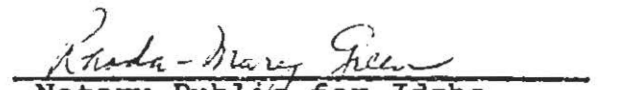
That he is a duly elected qualified and acting Prosecuting
Attorney of Valley County, Idaho:

That Carol Spaulding is in the custody of the Idaho State
Board of Corrections, and is being held in the women's facility
of the Nevada State Penitentiary, Carson City, Nevada, and is
a necessary and material witness for the State in the above
entitled action in that said Carol Spaulding was present at
and a witness to the offenses charged in the information on file
herein.



Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

SUBSCRIBED AND SWORN to before me this 22nd day of
September, 1975.



Notary Public for Idaho
Residing at: Cascade, Boise, Idaho
11/12/75

I hereby certify that on the _____ day of _____,
1975, I mailed a true and correct copy of the Affidavit, Motion
for Production of Witness, and Order for Production of Prisoner,
to Mr. Bruce O. Robinson, P. O. Box 8, Nampa, Idaho, Attorney
for the Defendant, with postage prepaid thereon.

Robert H. Remaklus

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED
SEP 22 1975
*may a full deputy
J. W. Creech, Clerk*

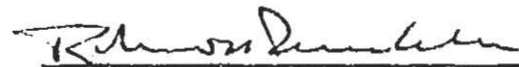
IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No.
)	
vs.	)	MOTION FOR PRODUCTION OF
	)	WITNESS
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
	*)	

Comes now Robert H. Remaklus Prosecuting Attorney of
Valley County, Idaho and moves this Honorable Court for an
Order to produce one Carol Spaulding as a material witness
in the trial of the above entitled action, from the Nevada
State Penitentiary at Carson City, Nevada where in she is
an inmate.

This motion is made and based upon the Affidavit att-
ached hereto.

DATED this 22nd day of September, 1975.


Robert H. Remaklus
Prosecuting Attorney
Valley County, Idaho

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

PROSECUTING ATTORNEY
VALLEY COUNTY, IDAHO

FILED

A. M. P. M.

SEP 22 1975

*Mary A. Hill deputy
J. W. Crutcher, clerk*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

THE STATE OF IDAHO,)	
)	
Plaintiff,	)	Criminal No.
)	
vs.	)	ORDER FOR PRODUCTION OF
	)	PRISONER
THOMAS EUGENE CREECH,)	
)	
Defendant.	*)	

It appearing from the Motion and Affidavit of Robert H. Remaklus Prosecuting Attorney in and for the County of Valley, State of Idaho, that Carol Spaulding will be a necessary and material witness in the trial of the above entitled action and that she is in the custody of the Idaho State Board of Corrections and is being held in the women's facility of the Nevada State Penitentiary, Carson City, Nevada:

IT IS THEREFORE ORDERED that the Idaho State Board of Corrections transport said Carol Spaulding from the Nevada State Penitentiary at Carson City, Nevada, to the above entitled Court at Wallace, Shoshone County, Idaho, for trial commencing October 6th, 1975, and retain her in custody until her presence as a witness is no longer needed;

IT IS FURTHER ORDERED That at such time as the presence of the said Carol Spaulding is no longer needed she shall be returned to the Nevada State Penitentiary;

DATED this 25th day September, 1975.

J. W. Crutcher
District Judge

ROBERT H. REMAKLUS
Valley County Prosecuting Attorney
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 382-4270

LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone 384-2400

FILED

SEP 22 1975
Marya Hill Deputy
J.W. Cuthbert Clerk

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,	)	Criminal Case No.
)	
Plaintiff,	)	AFFIDAVIT IN SUPPORT OF ORDER
	)	FOR COMPULSORY ATTENDANCE OF
vs.	)	WITNESSES
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

STATE OF IDAHO)
County of Valley) ss.

Robert H. Remaklus, being first duly sworn upon oath,
and makes this Affidavit in support of Plaintiff's Motion for
an order to be endorsed on each subpoena, for compulsory att-
endance of witness in the above entitled action pursuant to the
provisions of Section 19-3009, Idaho Code.

That the testimony and evidence of all the witnesses here-
inafter named are material and that the attendance of all such
witnesses at the trial of the above entitled action is necessary:
that none of such witnesses reside in Shoshone County, Idaho
the County wherein such trial shall be held and none of such
witnesses shall be served with subpoenas in such County.

That the names and addresses of such witnesses are as
follows:

Mr. Jack V. Freeman, Elmore County Sheriff Department,
Mountain Home, Idaho

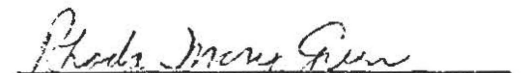
Mr. Fred J. Hurst, Psychologist, 6003 Overland Road,
Boise, Idaho

Ms. Gerry Fletcher, 2410 Warm Springs Road,
Boise, Idaho

Mr. Owen Krahn, 2521 Davis, Boise, Idaho


Robert H. Remaklus
Attorney for Plaintiff

SUBSCRIBED AND SWORN to before me this 22nd day of September, .
1975.


Notary Public for Idaho
Residence: ~~Cascade~~, Idaho
Boise 1/20/78

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUCENE CREECH,
Defendant.

No. 2165
ORDER DENYING MOTION FOR
CHANGE OF VENUE

NO. _____
FILED
SEP 22 1975
Mary A. Hill deposed
J. E. Creech

The Defendant's Motion for Change of Venue, dated the 10th day of September, 1975, came on before the Court for hearing on the 22nd day of September, 1975, in the Courthouse at Boise, Idaho.

The Defendant was represented by counsel, Bruce O. Robinson, and the State of Idaho was represented by Robert H. Remaklus, Prosecuting Attorney, Valley County, Idaho, and Lynn E. Thomas, Deputy Attorney General, Special Assistant Prosecutor.

The Court heard argument on the Motion for change of location of trial, and, having considered the arguments of counsel and the affidavit submitted by the Defendant's counsel, and being fully advised in the law and in the premises, it is the judgment of the Court that the Motion for Change of Venue should be, and the same is, DENIED.

DATED this 22d day of September, 1975.


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

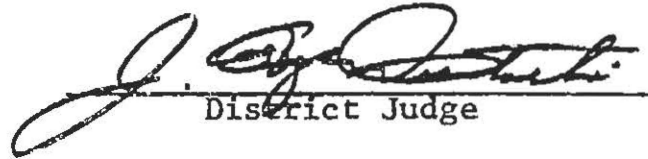
FILED
SEP 22 1975
Case No. 2165 *Mary A. List Deputy*
J.W. Austen, Clerk
ORDER DENYING MOTION IN LIMINE

The Defendant's Motion in Limine dated July 30, 1975, and the State's Motion in Limine dated September 10, 1975, came on before the court for hearing on the 22nd day of September, 1975. The Defendant was represented by counsel, BRUCE O. ROBINSON, and the State was represented by ROBERT H. REMAKLUS, Prosecuting Attorney of Valley County, Idaho, and LYNN E. THOMAS, Deputy Attorney General, Special Assistant Prosecutor.

The Court having considered the arguments of counsel, and being fully advised in the law and in the premises, concluded that the said motions should be, and the same are DENIED, provided however, counsel for both parties shall not initially proffer evidence at trial in the presence of the jury relating to out-of-state murders, deaths, or armed robberies, for which the Defendant has not been charged nor evidence of the Defendant's alleged involvement with satanic cults and of his alleged witness to human sacrifices performed in connection therewith, nor the testimony of Anton Szandor Lavey on any matter not related to facts tending to prove or disprove the charges pending against the Defendant, nor evidence of Defendant's alleged involvement with criminal syndicates, prominent public figures, and other criminal enterprises, nor evidence of or related to the philosophy of satanism, exorcism, possession by demons

and any related evidence, nor evidence of Defendant's reported involvement with motor cycle gangs, it being the intention of the Court that evidence of such character be submitted to the Court out of the presence of the jury in order that determinations as to the admissibility of such evidence may be made before such matters come before the jury.

DATED This 22nd day of September, 1975.


District Judge

ORDER DENYING MOTION IN LIMINE, P. 2

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

FILED

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

No. 2165

ORDER FOR TEMPORARY
TRANSFER OF PRISONER

SEP 13 1975

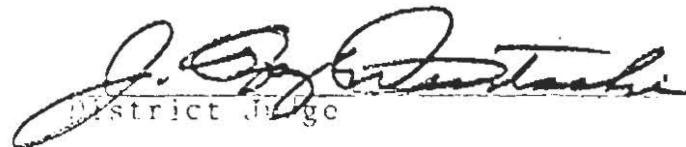
Mary A. Hill Deputy
J.W. Butcher, Clerk

Upon application of the State of Idaho, and upon the agreement of counsel for the Defendant, in open court on the 22nd day of September, 1975, the Court, in facilitation of its ORDER of September 8, 1975, relating to psychiatric study and examination of the Defendant, orders that the Defendant, Thomas Eugene Creech, be transported by the Sheriff of Ada County to Boise, Idaho, on the 23rd day of September, 1975, for psychiatric study and examination by Dr. F. LaMarr Heyrend and Dr. Michael Estess of Boise, Idaho, and such psychologists as they may determine, in furtherance of the Court's ORDER aforesaid.

The Defendant shall remain in the custody of the Sheriff of Ada County during such time as the aforesaid psychiatric and psychological testing is being conducted, and shall be conducted under such security arrangements as may be determined by the Sheriff of Ada County.

During such time, Defendant's counsel shall also have access to the Defendant for the purpose of performing polygraph and "truth serum" tests with the Defendant, provided, however, that such testing shall be conducted pursuant to such security precautions as may be prescribed by the Sheriff of Ada County.

DATED this 22d day of September, 1975.


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

FILED
SEP 24 1975
Case No. 2165 *Mary A. Hill Deputy*
J.W. Buitchan Clerk
ORDER DENYING MOTION FOR
THE USE OF A TYPEWRITER

The Defendant's Motion for the Use of a Typewriter during his incarceration in the Shoshone County Jail, Wallace, Idaho, came before the Court for hearing on the 4th day of September, 1975. The Defendant was represented by counsel, BRUCE O. ROBINSON, and the State was represented by LYNN E. THOMAS, Special Assistant Prosecuting Attorney.

The Court held arguments on the Motion and, being fully advised in the law and in the premises, it was the judgment of the Court that the Defendant's Motion for the Use of a Typewriter during his incarceration in the Shoshone County Jail should be, and the same is, DENIED. The Defendant shall be permitted the use of a pen or pencil and paper which may be checked out to him on a daily basis.

DATED This 24th day of September, 1975.


District Judge

ROBERT H. REMAKLUS
P. O. Box 759
Cascade, Idaho 83611
Telephone (208) 3824270
Valley County Prosecuting Attorney

FILED

LYNN E. Thomas
Deputy Attorney General
Special Assistant Prosecutor
Attorney General's Office
Statehouse, Boise, Idaho 83720
Telephone 384-2400

SEP 23 1975

*Maureen A. Hill, Deputy
J.W. Bruchman, Clerk*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

STATE OF IDAHO,)	Criminal Case No.
)	
Plaintiff,)	
	)	AFFIDAVIT IN SUPPORT OF ORDER
vs.	)	FOR COMPULSORY ATTENDANCE OF
	)	WITNESS
THOMAS EUGENE CREECH,)	
)	
Defendant.)	
STATE OF IDAHO)	
	)	ss
County of Valley)	

Robert H. Remaklus, being first duly sworn upon oath,
and makes this Affidavit in support of Plaintiff's Motion for
an order to be endorsed on this subpoena, for compulsory att-
endance of witness in the above entitled action pursuant to the
provisions of Section 19-3009, Idaho Code.

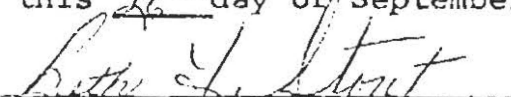
That the testimony and evidence of the witness hereinafter
named is material and that the attendance of such witness at the
trial of the above entitled action is necessary: that said
witness does not reside in Shoshone County, Idaho the County
wherein such trial shall be held and such witness shall not be
served with subpoena in such County.

That the name and address of such witness is as follows:

Bryan Miller, 409 N. Atlantic St., Boise, Idaho


Robert H. Remaklus
Attorney for Plaintiff

SUBSCRIBED AND SWORN to before me this 26th day of September,
1975.


Notary Public for Idaho
Residence: Cascade, Idaho

Affidavit in support of Order for
Compulsory Attendance of Witness

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165
ORDER DENYING MOTION FOR
TRIAL TO THE COURT
WITHOUT A JURY.

FILED

SEP 29 1975

The Defendant's Motion for Trial to the Court Without a Jury came on for hearing before the Court on the 22nd day of September, 1975. The State of Idaho appeared by counsel, ROBERT H. REMAKLUS, Prosecuting Attorney of Valley County, Idaho, and LYNN E. THOMAS, Deputy Attorney General for the State of Idaho, and the Defendant was represented by BRUCE O. ROBINSON.

The Court having heard the arguments of counsel, and being fully advised in the law and in the premises, determined that the Defendant's Motion for Trial to the Court Without a Jury should be and hereby is DENIED.

DATED This 25th day of September, 1975.


District Judge

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

FILED
A.M. P.M.
Case No. 2165 SEP 29 1975
ORDER DENYING MOTION FOR
ADDITIONAL WITNESSES TO BE
SUBPOENAED AT STATE EXPENSE

The Defendant's "Motion for Allowance of Subpoena of Witnesses" came on for hearing before the Court on the 4th day of September, 1975. The Defendant was represented by BRUCE O. ROBINSON, Attorney at Law, and the State of Idaho was represented by LYNN E. THOMAS, Deputy Attorney General.

The Court having heard arguments of counsel and being fully advised in the law and in the premises, determined that the Defendant should not be permitted to subpoena, at State expense, out-of-state witnesses, including Anton Szandor LaVey, of San Francisco, California, without a showing that such witnesses are necessary to the defense and that their testimony is material and relevant to the issues of the case. The Court further concluded that certain witnesses residing in the State of Idaho, including the Right Reverend Hanford L. King and Bishop Sylvester W. Treinen were not shown to have evidence or information material to the case, in consequence of which the Defendant should not be permitted to subpoena more than five (5) in-state witnesses, of his choice, at State expense without making a showing that such witnesses may reasonably be expected to give testimony that is material and relevant to the trial and that their testimony is necessary to Defendant's case.

IT IS SO ORDERED.

DATED This 29th day of September, 1975.


District Judge

Order Denying Motion for Additional
witness to be subpoenaed at State Expense

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

The State of Idaho

Plaintiff

-vs-

Thomas Eugene Creech

Defendant

CERTIFICATE OF MAILING NOTICE
PURSUANT TO RULE 77 (d), and 55
(b) (1) I.R.C.P.

I, Clarence A. Planting, the undersigned authority, do

hereby certify that I have mailed, by United States mail, one copy of the SEE LIST BELOW

as notice pursuant to Rule 77 (d) and 55 (b) (1) I. R.C.P. to each of the attorneys of record in this cause
in envelopes addressed as follows:

Ms Victoria White
Clerk of the District Court
P. O. Box 1049
Wallace, Idaho 83873

Bruce O. Robinson
P. O. Box 8
Nampa, Idaho 83651

Lynn Thomas
Deputy Attorney General
State House
Boise, Idaho 83720

Robert Remaklus
Valley County Prosecuting Attorney
P. O. Box 759
Cascade, Idaho 83611

~~CLARENCE A. PLANTING~~
CLARENCE A. PLANTING
Clerk of the District Court
VALLEY ~~ADA~~ County, Idaho

By _____

Deputy Clerk

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ~~ADAM~~ VALLEY

HON. J. RAY DURTSCHI
District Judge

SEPTEMBER Term 19 75

September 22, 1975

Date

COURT MINUTES

The State of Idaho

vs Plaintiff -

Thomas Eugene Creech

Defendant -

No. CR 2165

MURDER IN THE FIRST DEGREE

Appearances:

Robert Remaklas
Prosecuting Attorney

Counsel for State

Lynn Thomas
Deputy Attorney General

Counsel for State

Bruce O. Robinson

Counsel for Defendant

Defendant not present.

Hearing on miscellaneous motions

The Court reviewed previous proceedings.

Counsel for State directed to prepare order denying use of a typewriter
and permitting the use of a pen or pencil.
Counsel for defendant to prepare order for pre-trial conferences
Counsel for State to prepare order for witnesses out of state.

Hearing on defendant's motion to suppress evidence. There being no objections
this motion will be heard October 3, 1975 at Wallace.

Defendant's motion for separate examination of jurors. There being no
objections the Court granted this motion. Counsel to prepare order

The Court denied defendant's motion to waive jury trial.
The Court denied defendant's motion for change of venue. Counsel for State
to prepare these orders.

Statements by Counsel re/exhibits marked and in custody of Valley County Clerk

Argument on Motion for Limine. The Court denied motions. Counsel to prepare
order.

State's motion to produce automobile. Argument. The Court denied motion.
Counsel to prepare order.

Counsel stipulated to defendant being examined Wednesday, September 24, 1975
in Ada County. Court granted motion.

Reporter: John Gambee Approved by:

Clerk: marya

Dated: September 22, 1975


District Judge

ROBERT H. REMAKLUS
Valley County
Prosecuting Attorney
P.O. Box 759
Cascade, Idaho 83611
Telephone: (208) 382-4270

LYNN E. THOMAS
Deputy Attorney General
State of Idaho
Special Assistant Prosecutor
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

NO. _____
FILED
A.M. _____ P.M. _____
SEP 30 1975
J.W. Crutcher CLERK
BY *Mary A. Hill* DEPUTY

ATTORNEYS FOR PLAINTIFF

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,
Plaintiff,
v.
THOMAS EUGENE CREECH,
Defendant.

Case No. 2165

MOTION TO TREAT WITNESS
AS HOSTILE

Pursuant to Rule 43(b), Idaho Rules of Civil Procedure and Rule 57(b), Idaho Rules of Criminal Practice and Procedure, the State moves for permission to ask leading questions of State's witness CAROL SPAULDING on the ground that the said witness has demonstrated hostility to the State and unwillingness to swear to statements previously given to representatives of the State as more particularly detailed in the Affidavit hereto attached and incorporated herein.


DATED This 30th day of September, 1975.

ROBERT H. REMAKLUS
Valley County Prosecuting Attorney

Lynn E. Thomas
LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

CERTIFICATE OF MAILING

I HEREBY CERTIFY That I have on the 30 day of September, 1975, served true and correct copies of the foregoing MOTION TO TREAT WITNESS AS HOSTILE and attached documents, by depositing copies thereof in the United States mail, postage prepaid and addressed to BRUCE O. ROBINSON, P.O. Box 8, Nampa, Idaho 83651, and c/o Dennis Wheeler, P.O. Box 289, Wallace, Idaho 83873.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

MOTION TO TREAT WITNESS AS HOSTILE, P. 2

ROBERT H. REMAKLUS
Prosecuting Attorney
Valley County
P.O. Box 759
Cascade, Idaho 83611
Telephone: (208) 382-4270

LYNN E. THOMAS
Deputy Attorney General
State of Idaho
Special Assistant Prosecutor
Statehouse, Boise, Idaho 83720
Telephone: 384-2400

ATTORNEYS FOR PLAINTIFF

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

STATE OF IDAHO,

Plaintiff,

v.

THOMAS EUGENE CREECH,

Defendant.

Case No. 2165

AFFIDAVIT OF LYNN E. THOMAS

LYNN E. THOMAS, being first duly sworn upon his oath,
deposes and says:

On the 17th day of September, 1975, Robert H. Remaklus
and I went to the women's section of the Nevada State Peni-
tentiary at Carson City, Nevada, where Carol Spaulding was
being detained, and asked the said Carol Spaulding to sign
the Affidavits attached hereto as Exhibits A and B and incor-
porated herein by reference. One Affidavit paraphrases the
substance of statements previously given to Robert H. Remaklus
and James Maxwell and to Robert H. Remaklus and your affiant.
The other affidavit incorporates photocopies of transcripts
of tape recordings of the aforesaid interviews with Carol
Spaulding.

In your affiant's presence, the said Carol Spaulding
refused to sign either affidavit, saying words to the effect
of "why should I help you," "it doesn't do me any good, it
only helps you." Upon being asked if anything in the previous

statements were untrue, the said Carol Spaulding replied, "I don't know." Upon being asked the question, will you testify at the trial to the same facts which you gave in your previous interviews, the said Carol Spaulding replied, "probably, somethings may not be exactly the same."


Moreover, the said Carol Spaulding stated that prior to the murder of Arnold and Bradford she saw a pocket knife in the car in Bradford's possession, but that she did not see him use it, adding, "I don't think." This statement is inconsistent with the statements previously given the State as attached hereto.

The aforesaid refusal to sign affidavits and evasive answers as to the substance of Carol Spaulding's testimony were adhered to in spite of advice by your affiant to Carol Spaulding that she was not suspected nor charged with any other crimes and that the State disbelieved the statements of Thomas Creech to the effect that said Carol Spaulding had participated in other criminal acts.


Your affiant is informed and believes that the said Carol Spaulding has been advised by Defendant's counsel, Bruce O. Robinson, not to speak with law enforcement officers or "anyone." The nature of this information is detailed in the attached Affidavit of Judy Ogawa, a true copy of which is attached hereto and incorporated as Exhibit C.

FURTHER your affiant sayeth not.

DATED This 30 day of September, 1975.


LYNN E. THOMAS
Deputy Attorney General
Special Assistant Prosecutor

SUBSCRIBED and SWORN To Before me this 30 day of September, 1975.


NOTARY PUBLIC for Idaho
Residing in Boise, Idaho

AFFIDAVIT, P. 2

EXHIBIT A

STATE OF IDAHO,)	
)	
Plaintiff,)	
)	
v.	)	AFFIDAVIT
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

CAROL SPAULDING, being first duly sworn, upon her oath deposes and says:

I have read the attached transcripts of interviews conducted (1) on April 8, 1975, with Robert H. Remaklus, Jim Maxwell and myself at the Idaho State Correctional Institution in Boise, Idaho and (2) between myself, Robert Remaklus, and Lynn E. Thomas at the Nevada State Prison, Carson City, Nevada, June 17, 1975.

The interview of April 8, 1975, consists of twelve pages which I have read and I have initialed each page of the copy attached hereto. The interview of June 19, 1975, consists of thirty nine pages, which I have read. I have initialed each of the pages of the copy of the transcript hereto attached.

All of the statements and information which I have given in the two interviews which I have attached are true and correct.

CAROL SPAULDING

SUBSCRIBED AND SWORN To before me this _____ day
of September, 1975.

NOTARY PUBLIC for Nevada
Residing at
My commission expires:

Interview- April 8, 1975- Robert H. Remaklus and Jim Maxwell,
with Carol Spaulding at Idaho State Correctional
Institution in Boise, Idaho.

Bob: Carol I am going to ask you to say something to see if
this is going to pick up your voice, just tell me what
day it is.

Carol: Today is Tuesday.

Bob: Tell us how many ladies are there here at the Institution
at this time.

Carol: About fifteen.

Bob: Carol, starting with the day you and Tom Creech left
Lewiston, which probably would have been on a Sunday,
November 3rd, 1974, were you and Tom hitchhiking?

Carol: Yes.

Bob: How many rides did you catch out of Lewiston? How far
did they take you?

Carol: We caught a few rides that just took us a little ways.

Bob: And where did you get in the car with Bradford and
Arnold?

- Carol: It was a little town, I don't know the name of it. Just
some little town.

Bob: And was this very far out of Lewiston?

- Carol: A little ways maybe twenty miles.

- Bob: And this was an old green and white Buick, four door sedan.

- Carol: Yes.

Bob: And what did the four of you do, where did you go after
you and Tom got in the car with them?

Carol: We just drove for awhile, I think we stopped and siphoned
gas.

Bob: And then did you stop in any towns?

- Carol: I think we stopped in Grangeville, McCall,.

Bob: Did you stop down in Whitebird Idaho?

Carol: I wouldn't know, I don't even know where that is.

Bob: Do you remember about where it was when it started getting
dark on you?

- Carol: I think they picked us up after dark. Or right when it
was getting dark.

Bob: Did you drink any beer with them?

Carol: Tom did. I don't think I drank any.

Bob: Do you remember where you got the beer?

Carol: Just little towns.

Bob: Who had the money?

Carol: Tom, Tom had some money, one of them guys sold his coat.

Bob: Sold his what?

Carol: His jacket for us to buy some beer.

Bob: And I've heard about a battery charger.

Carol: Yeah Tom, Oh yeah Tom stole one, and sold it for some money to.

Bob: Was that before you got to McCall.?

Carol: He sold it in Grangeville.

Bob: Oh

Carol: I remember that.

Bob: Then did you stop after you left Grangeville, then you went on down South got to McCall, did you stop in McCall.

Carol: Yeah

Bob: Did you go in any places there.?

Carol: They did, I didn't.

Bob: You mean the men? Did all three of the men go in some place in McCall.?

Carol: Not the guy in the back didn't, he was just laying there. I think I got out and stretched, I don't know.

Bob: Now do you know whether or not either of these two men had been drinking when they picked you and Tom up.?

Carol: They sounded and acted like it.

Bob: Was the car pretty dirty.?

Carol: Yeah, it was real dirty. One of the guys was pissing on the floor.

Bob: Was that the one in the back.?

Carol: Yeah.

Bob: That's what I heard it was pretty much of a mess there in the car.

Carol: It was.

Bob: Where did you ride.?

Carol: I rode in the front.

Bob: Where did Tom ride.?

Carol: He rode sit next to me.

Bob: Were you in the middle.?

Carol: Yeah.

Bob: And when you got, had either one of the fellows, tried to get fresh with you, these other two men.

Carol: Yeah, I think they was just drunk, they were being nasty. They were feeling me and stuff. I just told them not to.

Bob: Did Tom tell them not to.?

Carol: Yeah Tom did.

Bob: Then when there say at McCall, you think you got out and stretched and the fellow in the back seat stayed in the back seat.?

Carol: Yeah I think. No he could have got out too, I don't remember.

Bob: I was just wondering if either of these fellows tried to get smart with you when Tom was not around.

Carol: No, I was never around them when Tom wasn't there.

Bob: I see. Now after you left McCall, do you remember going through Donnelly's?

Carol: No. We probably did.

Bob: As I understand it when the car stopped down there, this South of Donnelly, you got out of the car and Tom got out of the car as I understand it.

Carol: Yes.

Bob: Tell me about it. Did the two men stay in the car?

Carol: Yes, I got out to go to the bathroom. Because I had to go to the bathroom real bad.

Bob: You got out of the car at that time, Tom got out to let you out is that right?

Carol: Yeah, he just got out, when I got out he just shoved me out of the way, and shot them.

Bob: Did you squat there by the car?

Carol: No, I didn't even get out, I was just stepping out and he just pushed me out of the way, and shot them.

Bob: Where was he standing then?

Carol: Right at the door of the car.

Bob: Tom was standing at the door, he was standing on the ground wasn't he Carol? He was clear out of the car wasn't he?

Carol: Yeah, I guess he could have moved back a little ways to let me out, cause I was getting out.

Bob: Did you know that he was going to shoot those two men?

Carol: No.

Bob: Then this was dark at that time wasn't it?

Carol: Yeah it was real dark, it was real late at nite.

Bob: Could you see what was happening? Was there enough light for you to see Tom and the two men?

Carol: Yeah there was. I think there was a light in the car. When the door opened the light went on in the car. I am not sure though. I think Tom broke it. I'm not sure if it was even there.

Bob: Now when could you, were you watching or were you facing the car when Tom shot these two men?

Carol: Yeah he shoved me out of the way, I looked at Tom and I saw the gun, even by the time I saw the gun it was done with.

Bob: Who did he shoot first?

Carol: The man that was driving.

Bob: And then what happened Carol.?

Carol: He did them both, when he done it he did them both really fast.

Bob: Yeah, that what I understand. But the man that was driving was not first, is this right.?

Carol: Yeah

Bob: And did you see the man in the back seat do anything?

Carol: No.

Bob: How many times did Tom shoot the first man there the driver.?

Carol: I guess he shot him once, cause thats what the paper said. I thought he shot the first man twice cause he did it so fast. But he didn't.

Bob: Now what was the driver doing at the time Tom shot him? Do you remember?

Carol: He was just setting there.

Bob: Then after Tom shot him, then did you see the man in the back seat do anything.?

Carol: No he did it too quick.

Bob: Did he raise up or anything.?

Carol: No, he done them both just as quick as he would have done one.

Bob: Did any body say anything at that time.?

Carol: I think I said something, like Oh My God, what have you done? Then he didn't even notice I was even there, I didn't know if he was going to shoot me or not. I guess he just forgot I was even there, it seemed like it.

Bob: Then what did you do after he shot the two men?

Carol: I don't know, I think I just stood there I don't know though I think I got out of the way. Then he took them out of the car and he dragged them.

Bob: Tell me about that, which one did he take out of the car first.?

Carol: I don't remember.

Bob: Did you help drag the men over.?

Carol: No I didn't do nothing.

Bob: Did you watch him while he did it.?

Carol: I didn't really watch him, but I knew what he was doing.

Bob: Yes, I understand that.

Carol: But I wasn't really watching him.

Bob: Where were you standing at that point do you remember.?

Carol: No, I was within view of what was happening. I could hear what was happening. I don't know where I was standing.

Bob: Did Tom say anything to you then Carol.?

Carol: No he didn't say anything to me. I just said Tom why did you do that. He didn't say nothing to me. Then he got back he didn't say anything he just shoved me in the car. He just said get in the car. He just started driving, he was tired and wanted to sleep. So he drove for awhile and then he stopped, I couldn't sleep because I was scared. I kept waking him up, so he drove farther stopped again and was resting, I think we stopped in Cascade cause I didn't even want to stay in the car. He was going to steal another car but he didn't. The car that he tried to steal was one that didn't work. I didn't know what I was doing.

Bob: You were pretty scared about then weren't you.?

Carol: Yeah I didn't know if he was going to shoot me or not. Thought he wanted another car to shoot me in, I didn't know.

Bob: After you left Cascade where did you go.?

Carol: Then he went to sleep after Cascade. He drove awhile and went to sleep. A little lodge place. Some kind of little place.

Carol: He wasn't really asleep he was just kinda resting.

Bob: Then when did you leave there, was it getting day light then Carol.?

Carol: Yeah it was getting day light.

Bob: Then what did you do.?

Carol: Then we drove the car and ran out of gas and left it.

Bob: Did you try to push the car off the road.?

Carol: Yeah, Tom did.

Bob: What did you do.?

Carol: I was just watching him kinda, I didn't know what he was gonna do.

Bob: Did you get it pushed off the road.?

Carol: Well he pulled it off the road. He was gonna push it over a cliff, but he couldn't.

Bob: Little too heavy huh.?

Carol: That was what he said.

Bob: Then what did you do.?

Carol: Then we tried to get another ride.

Bob: You still hitchhiked.?

Carol: Yeah

Bob: Did you get another ride.?

Carol: Yeah

Bob: Where did you go then?

Carol: Almost to Boise. Right outside of Boise. And we got another ride to Boise.

Bob: Where did you stay in Boise.?

Carol: We was in Boise for awhile in the day. I think I ate a sandwich. We stopped and had some coffee. Then we started to hitchhike out of Boise. Then we stopped at a truck stop, got a cup of coffee, and we met this other guy and he let us stay at his house.

Bob: Did you stay there with this other guy a day or two.?

Carol: Yeah

Bob: What did you do when you were there, was that when the store was robbed.?

Carol: Yeah

Bob: Did you go along on that? Who did that was that Tom and some body.?

Carol: Yeah Tom and this big fat guy and this little puny guy. That we was staying and this little guy was always there so they would always talk about doing things and stuff.

Bob: Doing what kind of things.?

Carol: Robberies, burglaries and stuff. It didn't seem like they would do them. They said they would try to do a armed robbery, but the gun if you pushed it down the bullets would fall out. I think the little guy's name was Rick. I didn't know his last name. I knew Jim Marsh I knew his name, and his wife.

Bob: Did you know them before you came to Boise, Carol.?

Carol: No, I never met them before. We just met them when we was at the truck stop. They just picked us up like they was being real nice. He was driving a station wagon.

Bob: Did he have a trailer house.?

Carol: Yeah, they lived in a trailer house.:

Bob: Now was one of these guys wives pregnant.?

Carol: Yeah she had her baby while we was there.

Bob: I am not interested in the details, but was it while you was staying there, that the men went and robbed the Seven Eleven or Circle K.?

Carol: Yeah

Bob: How many nights did you stay there.?

Carol: Just a couple, two or three.

Bob: Then did you and Tom start hitchhiking on South.?

Carol: Yeah

Bob: How did you get out of town? Out of Boise.?

Carol: Jim Marsh, he took us to this rest area, and we tried to get a ride from there. Then we got a ride.

Bob: Who did you get that ride with.?

Carol: I don't know his name, some dude I guess.

Bob: Was he the same one that was with you when you were arrested.?

Carol: yes

Jim: Did Tom talk about the shooting in Donnelly, with Rick Gilliam and Jim Marsh.?

Carol: Yeah

Jim: Did he tell them what he had done.?

Carol: Yeah, they knew just like it was nothing. Talked like it was something you do every day. I didn't like them to much. Talked about it like it was something all right to do. Something that every one does. I remember Tom used to tell me about killing people, I never beleived him. I just wondered what was wrong. Then when he done it, I know I beleive him. It was in the paper and they read it.

Bob: Oh, Rick and Jim Marsh read it in the paper.

Carol: Yeah, it was the same day the robbery was in the paper.

Bob: Oh I see. Carol, when you was picked up at the rest stop do you remember that man's name.?

Carol: No

Bob: Was his first name Steve, did you know him by Steve.?

Carol: I didn't know him by anything, I didn't even know his name.

Bob: Anyway that was the only ride you caught, and you got down to Glenssferry where you were arrested.

Carol: Yeah, we was arrested then.

Bob: This gun that Tom used, I understand that you had it in your purse there at Glenssferry, he had given it to you is that right.?

Carol: No he had it in his pants, when he seen that we was getting pulled over he put it in my purse.

Bob: Oh I see. Now where did he get that gun?

Carol: I guess he stole it from my Mom's boyfriend. I didn't know he did. When we was in Boise I called my Mom, and she said that Bill's gun was stolen then I thought Tom wouldn't do that. Stealing from my family, I just didn't beleive it really. But I guess he did.

Jim: Had you seen the gun before when Mr. ~~Lehman~~ had it.?

Carol: No I never seen it before.

Jim: Did you know he had one.?

Carol: Yeah, I did.

Jim: Did you ever call the cops about it.?

Carol: No I think they talked to Bill about it, I don't know.

Bob: Now was Bill, Mr. -----.?

Carol: Yes

Bob: Is that your mother's friend up in Lewiston.?

Carol: Yes

Bob: Do you have brothers and sisters up in Lewiston Carol.?

Carol: Yeah I have a sister and a brother there.
Bob: And how old are they?
Carol: My brother is eleven, I think and my sister is fifteen.
Bob: You are the oldest of the three kids?
Carol: I have an older sister, she is in California.
Bob: Oh I see.
Jim: There was some question as to whether there was some one else with you and Tom, for awhile was there?
Carol: When?
Jim: When you left Lewiston. Was there anyone else hitchhiking with you?
Carol: I don't think so.
Bob: Were there five of you in the car?
Carol: No
Bob: Who is Hether?
Carol: She is my friend. She lives in Lewiston.
Jim: Is that Hether Baker?
Carol: Yeah
Bob: Was she with you?
Carol: No
Bob: What's your sister's name.
Carol: Kathy
Bob: Was Kathy with you at any time?
Carol: No
Jim: Is she still in Lewiston?
Carol: Yeah
Bob: What grade would she be in?
Carol: Eighth or ninth, I don't know.
Bob: We kinda heard somebody else was along and that was one reason I wanted to come down and talk to you.
Carol: If they was I didn't know about it. Must have been someone invisible. I didn't know of any body else. Just people that picked us up.
Jim: Are you afraid of what Tom might do now?
Carol: I don't know sometimes.
Jim: What are you afraid of that he might try to kill you too?
Carol: I guess Yeah, I don't know he is locked up now.
Bob: Carol, who's baby are you going to have do you know?
Carol: Tom's

Jim: Were you aware that Tom's wife Thomasine had filed for a divorce with Tom.? Were you aware that he has written to her or contacted her.?

Carol: No, has he.

Jim: I understood that he had.

Bob: That's what we heard.

Carol: No

Jim: Had he ever said that she would help him get out of trouble or anything like this.?

Carol: Yeah, he used to talk about her some times.

Jim: Was he mad at her.?

Carol: No he sounded like he really liked her. He told me that she was dead though.

Bob: Well she isn't.

Jim: You have never met her is this right.?

Carol: He told me she was dead.

Bob: She served some divorce papers on him, now he doesn't seem to want a divorce very bad, from what we hear.

Carol: I thought it was over. His divorce was over.

Jim: The other officer in Ada County, said he had been trying to call her. I wonder if he is trying to get some money from her, or something like this.

Carol: No

Jim: Do you know where she would be at.?

Carol: No I thought in some kinda hospital. I think that's what you told me even.

Jim: Yeah, when we talked about it before. But he had always told you that she was dead is that right.?

Carol: Yeah

Jim: Did he say how this happened.?

Carol: A car wreck, I think.

Bob: Carol where did you first meet Tom, I never did get that straight.

Carol: In Fresno at the Fair. I was working there and so was he.

Bob: Was your Dad working at the carnival.?

Carol: He wasn't in Fresno. I was in Fresno but my dad wasn't.

Jim: Was Tom working there.?

Carol: Yeah, that's how I met him. He was working on the Ferris Wheel I guess.

Bob: What kind of work did you do there.?

Carol: I worked in the concession.

Bob: Sellin(candy and stuff. (

Carol: The games.

Bob: Games oh, how long had you been working there.?

Carol: All summer, but not with that same carnival. With different ones.

Jim: The last time you were in Cascade, you told me on the way back down that you knew Kevin, the fellow that we have in the jail up there, Kevin----- that he worked on the carnival with you.

Carol: No I didn't. I don't think.

Jim: The one that was in there, that you had known him in Oregon or someplace at the Carnival.

Carol: I don't think I told you that I knew anyone. Cause I can't tell unless I see them.

Jim: I beleive that you had talked to him there at Cascade, when you laid down there in the cell area, he was working in the kitchen part.

Carol: I didn't know anybody there. I didn't even know who was there.

Jim: How long did you and Tom work together at the Carnival before you left.

Carol: Just a couple days. I met him one night at a party for awhile, he was drinking and stuff. So I stopped for awhile and talked to him and stuff. Some of my old friends I knew along time ago was there. But then I didn't see him again for a couple days.

Bob: Did you have any trouble with the man that was sleeping in your sleeping bag.?

Carol: No he was working. I quit my job and I just left. I wasn't planning on sleeping with him every night. He just decided that my sleeping bag was his, so I left it and let him keep it.

Bob: That's what I meant. Tom didn't try to do anything to that man.

Carol: No

Bob: Where did you go from there.?

~ Carol: I think we stayed some where for a couple nights, I thought Tom had a car, I was waiting for him to get it, but he said it was impounded, so I decided he didn't have a car. So we started we was going to hitchhike to my Mom's house. We went up to California, Garverville, something like that. Then turned around and decided to go to Kentucky. He said his other brother was dead, and he wanted to go see his mother about it, and we went to Kentucky. We hitchhiked there.

~ Bob: All the way there.?

Caroli: Yeah, I think we stole a car. Some peoples car, Tom stole it.

Bob: Did you stay back in Kentucky for awhile?

Carol: We didn't even stay there overnite, just for a day I think.

Jim: Was Tom afraid that some body would catch up with him there.?

Carol: Yes he said he was wanted, but Tom was pretty screwy I didn't beleive every thing he said. He told me that he had killed people before and stuff and I didn't beleive him. I thought what kinda line As this.

Bob: Had you been with Tom when he killed any body else besides the other two fellows?

Carol: No

Bob: Are you inclined to beleive his stories now.? After what happened.

Carol: Yeah, I guess. After that happened I thought well I'm gonna die, I thought maybe I'm not cause he could have shot me when he shot the other two guys.

Bob: Did he scare you there when he shot those other two fellows.?

Carol: Yeah

Bob: Did you try to run away from the car.?

Carol: I don't really remember but I don't think I ran because there was no place to run to. I thought he would just run after me.

Bob: You said that you had hitchedhiked back to Kentucky, how did you get back to Idaho Carol?

Carol: This guy that we had a ride with, he had a stolen car so we stole it from him. He told Tom that, it was a hot car so we took.

Bob: Was that back in Kentucky?

Carol: I think it was in Virginia.

Bob: Did you drive it all the way to Idaho?

Carol: Yeah

Bob: Did you drive clear to Lewiston Carol?

Carol: Almost we left it somewhere. I don't remember where. I don't remember what he done with it.

Jim: Just west of -----near Peck?

Carol: I don't know I can't remember where we left it.

Jim: What color of car was that.

Carol: It was a red Grinlum.

Jim: Did it have Virginia licenses on it.

Carol: I think, it had some plates from back east.

Jim: The fellow that you and Tom stole it from, where was that at that you took it.?

Carol: Virginia I think. I don't know it was the next state to Kentucky.

Jim: Before you took the car from him, did he and Tom do some burglaries.?

Carol: Yes

Jim: Do you remember where those were.?

Carol: There just on the road. I don't know where they were.

Jim: In Virginia?

Carol: No, before we got to Kentucky.

Jim: Just along the route all along the way.

Carol: Yes

Jim: What all did they get? Do you remember?

Carol: Nothing worth anything. Ciarettes and candy bars and food.

Bob: Did this fellow pick you and Tom up before you got to Kentucky?

Carol: Yeah, he picked us up in Texas or right out of Texas.

Bob: And then the three of you went to Kentucky is that it?

Carol: Yeah

Bob: Then were there robberies there in Kentucky. Where did you take the car from him?

Carol: Some where in Virginia at a restaurant.

Jim: Do you remember what his name was?

Carol: No

Bob: Did he have a nick name that you called him by?

Carol: No I probably knew his name but I don't remember it. Cause we was with him for a long time. I don't remember his name.

INTERVIEW AT NEVADA STATE PRISON, CARSON CITY, NEVADA, JUNE 17, 1975

Persons present: Carol Spaulding, Bob Remaklus, Valley County
Prosecutor; Lynn E. Thomas, Deputy Attorney General, State of Idaho

THOMAS: We wanted to make a recording of this because we had some more questions we want to ask you if you are willing to answer them.

REMAKLUS: How long have you been down here?

SPAULDING: I came down one week and I went back the next and then I came back.

REMAKLUS: Yea, I didn't have a chance to come over to Caldwell to see you when you were there.

SPAULDING: Yea, my Mom didn't either.

REMAKLUS: Yea, well we got caught in a real funny deal up there, you know, and then trial was postponed, and Christ, we didn't know where anybody was going, and so we still don't know what we're going to do, Carol, so we thought we'd better come down and see how you're getting along. Anyway, you look healthy, young lady.

SPAULDING: I just want out of here.

REMAKLUS: Oh, I don't blame you, not a bit.

SPAULDING: I understand that I'm eligible for parole in July, is that right?

REMAKLUS: I don't know, do you Lynn?

THOMAS: No, I don't.

SPAULDING: Well, a federal law that my jail time counts, that's a federal law.

REMAKLUS: Yea, I think you get credit, yeah.

SPAULDING: And that will make 8 months sooner, (unintelligible)

REMAKLUS: Well, I don't, I wouldn't want us to encourage you, because I don't know, but it very well could be, Carol. I would imagine that your jail time would count, but I don't...I've never had occasion to follow up on any of that. Lynn had some questions he wanted to ask you. I don't know what they are. Do you want to lead out first?

THOMAS: Yeah, I can do that, or you can go ahead with your questions first. That might be best.

SPAULDING: I don't understand what this is.

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THOMAS: Well, we have some more questions. Now, you remember you talked to Bob once before and he went over some questions that he had with you at that time.

SPAULDING: Yea, well I'm kind of jittery about having a tape recording. It kind of bothered me.

REMAKLUS: Well, it's okay.

THOMAS: Well we need to do it so that we can have a record that we can transcribe and read over it again.

REMAKLUS: It takes so long to write it out in longhand is the only reason we're doing that. Any time you want us to stop we'll turn it off.

THOMAS: You don't have to answer any questions that we ask, and if you don't want us to ask any questions we won't.

SPAULDING: Well, is it about Tom?

THOMAS: It is about Tom, yes.

REMAKLUS: Now he wrote quite a long..like the beginning of a book.

SPAULDING: Yea I guess so. I know wrote him and asked him for some money. I said if you are making money off it, send me some, but I guess he didn't, so

REMAKLUS: Yea, here's one he wrote about Maxwell. Let's see, I haven't seen Tom since...well you were up in Idaho then and we were in court once up to Grangeville, and he was up there for a few days and now he's back over in Boise. I want to ask you..I don't know really where to start, but I want to start when you first met him. Was he working with the carnival when you first met him down there?

SPAULDING: Yea.

REMAKLUS: And was you Dad working with that same carnival? Was that it?

SPAULDING: Well he wasn't there. I planned on meeting my Dad there, but he wasn't there, he was in Ventura.

REMAKLUS: That was around Sacramento wasn't it, where the carnival was?

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SPAULDING: It was in Fresno.

REMAKLUS: In Fresno.

THOMAS: Do you remember when that was, Carol?

SPAULDING: No, it was around the first of September.

THOMAS: 1974?

REMAKLUS: No.

SPAULDING: That was last year, 1974.

REMAKLUS: It would be '73,

SPAULDING: No.

THOMAS: This is '75.

SPAULDING: I only knew him two months before he got arrested.

REMAKLUS: Oh, that's right.

SPAULDING: I only knew him for a very short time.

REMAKLUS: Yeah, that's right.

SPAULDING: No, I mean like when I met him the only reason I went with him was because I wanted to see my Mom. I understood that he had a car which I never saw.

THOMAS: Did you go from Fresno to Idaho, or did you go with him to some other place?

SPAULDING: We started to Idaho, and then we turned around and went to Kentucky. But then we ended up going to Idaho.

THOMAS: Do you remember when you went to Kentucky, approximately?

SPAULDING: In the middle of September.

THOMAS: And you went from Fresno to Kentucky?

SPAULDING: Well we got right up to the top of California because I was headed for home, I wanted to see my Mom, and then he said his brother died, so I thought well he's comin' home with me, I might as well go home with him. We then went to see his parents. I guess he just made up a big story is what I understood.

REMAKLUS: How did you get...when you and Tom...you left the carnival didn't you, together. Did he tell you he had a car at that time?

SPAULDING: Yea.

REMAKLUS: But he didn't. Did he steal a car or did you hitchhike?

SPAULDING: We hitchhiked, but after while he stole a car.

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REMAKLUS: Was that still in California, Carol?

SPAULDING: Yea, he stole it in Barstow, California.

REMAKLUS: How far did you drive that car?

SPAULDING: To Albuquerque, New Mexico.

REMAKLUS: And then where did you go from Albuquerque?

SPAULDING: Then we went to Kentucky.

REMAKLUS: Well what did you do, go up towards northern California and then double back down south?

SPAULDING: Yea.

REMAKLUS: Did you guys get in any kind of trouble in, uh, out of Flagstaff?

SPAULDING: Huh uh.

REMAKLUS: Anywhere around in Arizona?

SPAULDING: When we was in Flagstaff we were only there for maybe an hour at the most. We stopped and had coffee.

REMAKLUS: And then you went on... where did you leave the car that you stole?

SPAULDING: Oh, we met these people in Flagstaff and we gave it to them.

REMAKLUS: Where did you go from Flagstaff? How were you traveling then, Carol?

SPAULDING: I don't think we went to Phoenix, we went through New Mexico.

REMAKLUS: Through New Mexico?

SPAULDING: Yea, Albuquerque is in New Mexico.

REMAKLUS: Yes.

SPAULDING: I think we went straight into New Mexico it seems like. I don't remember any state.

THOMAS: Do you remember when you got to Kentucky?

SPAULDING: Probably the end of September, approximately. I'm really not sure. (unintelligible)

THOMAS: To the best of your recollection it would be that it was around the end of September when you arrived there?

SPAULDING: Yea.

THOMAS: And do you remember how long you stayed?

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SPAULDING: We didn't even stay a full day. We was there..I guess he had some relatives there..we seen some of his relatives..two of his aunts. I remember that we just had short visits with them.

THOMAS: And then where did you go when you left Kentucky?

SPAULDING: Well we was hitchhiking with this guy and he was going up through Virginia and up that way, so we started going with him, and then we took his car and we went to Lewiston. So I think we went in to Virginia.

THOMAS: You took his car?

SPAULDING: It wasn't his car, he took it from someone too.

REMAKLUS: Did you drive the same car all the way from Virginia to Idaho?

SPAULDING: Yea.

THOMAS: Well what happened to the guy that had the car?

SPAULDING: I don't know, we left him in a restaurant.

THOMAS: Oh, and then you drove all the way to Lewiston in that car?

SPAULDING: Right by Lewiston, right outside of Lewiston.

THOMAS: Do you remember when, approximately, you got to Lewiston?

SPAULDING: It was right before Halloween.

THOMAS: That would be shortly before the end of October?

SPAULDING: Yea.

THOMAS: Now, as I understand it, you left Kentucky about the end of September and did you spend a month getting to Lewiston from Kentucky?

SPAULDING: It doesn't seem like that, we drove straight through. But there might be something...

REMAKLUS: Did you have any money then?

SPAULDING: Well you remember this guy that had that car, they stole a bunch of cigarettes and stuff and sold them, a bunch of cartons of cigarettes. I guess his folks give him some money.

REMAKLUS: Tom's folks?

SPAULDING: His aunts give us some money that we had.

THOMAS: In Kentucky?

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SPAULDING: Yea. It wasn't much of it..

THOMAS: Is it possible that you left Kentucky later than the end of September?

SPAULDING: Yea it is, because I got home later.

THOMAS: Can you recall about how long it took you to drive across the country from Kentucky to Lewiston?

SPAULDING: A couple weeks.

THOMAS: A couple weeks.

SPAULDING: We stopped along.

REMAKLUS: Did Tom work anywhere or did you work anywhere?

SPAULDING: No, Tom told me that he had some money, the whole time he kept telling me, you know like he told me he had money when I met him, but he never ended up to have any.

REMAKLUS: Well how did you live coming across from Kentucky? Did you stop, did he rob anything on the trip west?

SPAULDING: It ended up with him and this other guy, but I wouldn't get involved, I told him I wasn't going to get (Unintelligible)

THOMAS: Were you ever with Tom at a place called the McCoy Ranch in California?

SPAULDING: Yea, that was on our way, that's when we was going from California...we was there (unintelligible)

THOMAS: What can you tell me about that place? What did you see there...

SPAULDING: I thought it was a really nice place. It's really pretty.

REMAKLUS: Where's that?

SPAULDING: Malibu, Malibu, California. It's up on a hill.

THOMAS: Was there a house there?

SPAULDING: Yea, and there was a trailer. He had a bunch of gardens.

THOMAS: Did you meet any people there on the ranch?

SPAULDING: I didn't, I guess Tom did.

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THOMAS: How long did you stay there?

SPAULDING: Not even a day. We was going to work there, but we never did because he wasn't paying us nothing except vegetables, so we didn't work there.

THOMAS: Well do you remember approximately when you got there, to the McCoy Ranch.

SPAULDING: That was right after I met him. A week in September.

THOMAS: Sometime around the middle of September?

SPAULDING: Yea, maybe a weekend in September we was there.

THOMAS: You think you met Tom around the first part of September, and then within a week was when you were at McCoy Ranch.

SPAULDING: Yeah.

THOMAS: Did you see anything unusual or hear anything unusual at the McCoy Ranch?

SPAULDING: No, just this Mr. McCoy, he seemed pretty weird.

THOMAS: Could you describe him and tell me as much as you can about Mr. McCoy?

SPAULDING: Well we got there and you know, we heard he was hiring people, so that's why we went there. Some other people that lived up on a different mountain told us that he hired people, so we went up there and he told us all about...he showed us his vegetable garden, and give us some vegetables. He said tomorrow we could go to work and he give us a couple handfuls of vegetables. He told us that this is the only food that's any good for you..he's a vegetarian I guess. He just seemed weird. I guess the only other people I saw there were people working, but I didn't really see close up, I seen them from a distance (unintelligible) people worked in his garden.

THOMAS: Did you meet the foreman of the ranch? Do you remember there being a foreman around?

SPAULDING: There was a guy, a Mexican man, Salvador I guess, Tom told me about him, he told me he was as crazy as the old man, but I didn't really...cause we just, well we got there and there was this little shack and we was supposed to live there according to Mr. McCoy, so I just went down and went to sleep because I was really

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tired, and while I was asleep Tom was running around looking at everything, I guess, and he said he met this Salvador there.

REMAKLUS: Is the old man, is that Mr. McCoy?

SPAULDING: Yea.

REMAKLUS: Is he elderly?

SPAULDING: Yea, he was old.

REMAKLUS: Anything unusual about him? What did he look like, how did he dress?

SPAULDING: I can't really remember. I don't think he dressed too good. He just seemed weird.

THOMAS: What could you...could you sort of pinpoint in your mind what it was you thought about...that was weird about him.

SPAULDING: That fact that he wanted us to work for vegetables for just a couple vegetables.

THOMAS: You thought that that was strange.

SPAULDING: Yea I thought, and to live in a dump like that. We understood we was going to get room and board.

THOMAS: But you stayed in the shack?

SPAULDING: I just stayed..he just stayed a little while, and then we got up and left because we wasn't going to work there.

REMAKLUS: What were you traveling in?

SPAULDING: We were hitchhiking.

THOMAS: Did Tom say anything about having been at that ranch before?

SPAULDING: Huh uh, because I didn't think Tom had ever been there because these people referred it to us.

THOMAS: Who was it that referred you there do you know?

SPAULDING: These people that let us stay overnight at their house

THOMAS: Where was that?

SPAULDING: It was on another mountain.

THOMAS: In or near Malibu?

SPAULDING: Yea, we was in Malibu.

THOMAS: And they told you about McCoy's place.

SPAULDING: Yea, they said that this McCoy guy would let us stay there.

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What about this McCoy's ranch? What happened there, I'd like to know.

THOMAS: Well

SPAULDING: 'cause some guys from Los Angeles came to talk to me about it once.

THOMAS: We're trying to find out whether anything happened there or not. There was some contention that Mr. McCoy may have been involved with a cult of some kind that was performing human sacrifices. Did you ever hear anything like that?

SPAULDING: Not until these investigators from Los Angeles came. I was just kind of curious, cause I always thought he was some kind of nut...when I was there he just...he seemed insane.

REMAKLUS: Probably a good thing you got out of there, because it was young girls

SPAULDING: Yea, that's what I think.

THOMAS: About how long were you there, more than a day?

SPAULDING: Oh no, we was there oh 6 hours.

REMAKLUS: Oh, you didn't stay all night then?

SPAULDING: Huh uh, we didn't stay that night. We got there in the morning, and then he give us some vegetables, and then that was a big disappointment, so we just went and found this shack and went to sleep...I went to sleep, I don't know where Tom went, I don't know what he did while I was asleep, but he talked about this Salvador guy that was riding around on a horse and he said he was pretty crazy too.

THOMAS: Did you see any, uh...was there any stove or any other kind of utilities in the shack that you stayed in?

SPAULDING: No, it was just nothing, like a grass hut.

THOMAS: Did you cook anything in there, or have a fire in the place at all?

SPAULDING: No, I think there was a place for a fire, but I'm not sure, I can't remember, it was so long ago.

THOMAS: Were you ever with Tom in a place called Jean, Nevada?

SPAULDING: We didn't go through Nevada when we went through

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California, we went through Arizona when we went out of California.

THOMAS: Did Tom ever mention knowing anybody in Nevada?

SPAULDING: I don't know, I don't think so.

THOMAS: Did he ever tell you anything about any kind of narcotics smuggling operation that he knew about?

SPAULDING: Yea, it was down in California I think.

THOMAS: Who was involved in that?

SPAULDING: He didn't say nobody, he just said he had a lot of money and a lot of dope, but he didn't have neither one.

THOMAS: Tom said that?

SPAULDING: Yea.

THOMAS: Did you ever meet anybody named Jerry and Donna Sage?

SPAULDING: We met a Jerry and Donna, that were the people we give the car to, but I don't know if they was the same ones, cause...

THOMAS: Where did you meet them, do you remember?

SPAULDING: In Flagstaff, we picked them up and then we give them the car in Albuquerque, but he said he knew another Jerry and donna, in Barstow or Fresno. But I didn't meet them.

THOMAS: The people that you met in Flagstaff, you say you gave the car to them. Which car was that?

SPAULDING: That's the one we stole in Barstow.

THOMAS: I see. Then what did they do? When was the last time you saw them?

SPAULDING: Well we stayed in a motel that night and let them use the car, and that was the last time I seen them. They went out and got drunk I guess.

THOMAS: Do you remember when approximately that was?

SPAULDING: No, probably about 2 weeks in September, maybe 3.

THOMAS: Was that after you had left the McCoy place?

SPAULDING: Yea, the McCoy place was one of the first places we went together.

THOMAS: Can you describe these Sage people, Jerry and Donna or whoever they are?

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SPAULDING: Don't know if that was their last name or not, but they were from Colorado, Warm Springs, Colorado.

THOMAS: Warm Springs?

SPAULDING: Uh huh. They were high class.

THOMAS: What did they look like?

SPAULDING: Jerry he had dark hair and he was pretty big. He wore a real attractive cowboy hat and he had lots of guitars and stuff. I guess he was a performer. His wife Donna she was real nice, real fancy looking. I think she was blond, I don't remember.

THOMAS: Now it was in California where you saw them?

SPAULDING: No, we met them in Barstow. Their car broke down and we gave them a ride.

THOMAS: Where is Barstow, is that in California or Nevada?

SPAULDING: No, in Flagstaff is where we met them.

THOMAS: And for what period of time were you with them, how long, do you remember that?

SPAULDING: Just long enough to drive from Flagstaff to Albuquerque.

THOMAS: Uh huh. Then they took the car at that point, huh?

SPAULDING: Uh huh.

THOMAS: Did Tom say anything about them after they had gone?

SPAULDING: No.

THOMAS: Do you remember what kind of clothing they were wearing the last time you saw them?

SPAULDING: They were fancy, like he had a real fancy cowboy hat with little things around it. They had luggage and stuff.

THOMAS: How about, now you sort of described Jerry as having a cowboy hat and

SPAULDING: Yea, I remember that because he always wore that.

THOMAS: How about Donna, what did she wear?

SPAULDING: I can't remember, nothing too out of the ordinary. She had a coat with fur around it, around the bottom.

THOMAS: Was she wearing a dress, or slacks or

SPAULDING: Slacks.

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THOMAS: A blouse or T-shirt or anything of that kind?

SPAULDING: Oh I can't remember, that's so long ago. We didn't know them that long for me to notice.

THOMAS: Was there any incident that you can remember involving a fellow that you met in a cafe in California, that supposedly gave you some trouble about your buying a bunch of different things like coke and root beer and milk?

SPAULDING: In California?

THOMAS: Or some other place? Do you remember any incident like that?

SPAULDING: Huh uh, no. Well usually all the places I went with Tom I usually didn't go in, except you know like restaurants for coffee I went in. Most of the time he went in bars and had a beer. I can't go in bars and I don't drink beer, so I just wait out in the car. So I really...it didn't seem like he got in fights though, he'd always come out okay.

THOMAS: Did Tom ever talk to you about any of the satanist cults or anything like that?

SPAULDING: No...no he didn't, but I think once just before we got arrested, he said I'm a satanist. I thought you're crazy, and I thought....I don't care.

REMAKLUS: Did he tell you anything about what it is to be a satanist?

SPAULDING: No, I just thought it was someone that believe in satan, I didn't think nothing of it. I just thought, you know, big deal.

THOMAS: Apart from these two people that were involved in the shooting up in Idaho, did you ever see Tom harm or kill any other person?

SPAULDING: No, he was always really, seemed like a nice guy. But after that he didn't seem so nice.

THOMAS: Did he ever talk about...in any kind of terms...about people who pushed dope or things like that? Was he critical of people who were dope pushers?

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SPAULDING: I don't think so...

REMAKLUS: Carol...

SPAULDING: Nothing about it.

REMAKLUS: You know the night Tom killed those two fellows up at Donnelly, had you stopped at McCall just..you remember the little town you went through just before you stopped there, when Tom killed those two guys, that was Donnelly, just a little old wide place in the road.

SPAULDING: Yea, I don't remember that town, but I remember McCall.

REMAKLUS: Okay, did you stop there in McCall? Did you go in any-place there?

SPAULDING: I think I went into that big motel over by the lake.

THOMAS: The Shore Lodge?

SPAULDING: I don't know the name of it.

REMAKLUS: Did you go up some steps and then into a lobby then you can look right on the lake?

SPAULDING: No, I don't think so.

REMAKLUS: Did you go to a place called the Yacht Club?

SPAULDING: No.

REMAKLUS: Did Tom get in a fight with somebody there, or did

SPAULDING: No, I wouldn't know, I didn't know if he did. You know, like all the way down, everywhere we went, he would always go in and get beer and stuff, I don't know what happened.

REMAKLUS: Well, we keep hearing about a fight there at the Yacht Club, and very frankly, I don't think, obviously there was a fight, but I think it was Saturday night and you and Tom didn't get to McCall until after that did you?

SPAULDING: I don't know. I think it was a Sunday.

REMAKLUS: When did you leave your Mother's place?

SPAULDING: Uh, it was the day before the World's Fair ended. I don't know the date. I remember that because my sister went. It was going to close the next day.

REMAKLUS: And then, uh, but what I, did you get into McCall the same night that you left your Mother's place?

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SPAULDING: Yea.

REMAKLUS: And then it was that same night that Tom shot those two guys there by Donnelly, wasn't it?

SPAULDING: Yea.

REMAKLUS: That's the way, that's what I understood it to be.

SPAULDING: Yea. I don't think he got in any fight though, because if he would, I would have known.

REMAKLUS: Well, I agree with you, I think that's right I think you would have known about it, he probably would have talked about it, you know, in your car.

SPAULDING: Yea.

REMAKLUS: But there at McCall, did the men all get out of the car at McCall? Or did you get out?

SPAULDING: I don't remember, I got out to walk around and stretch, but I don't remember, I think they did but I'm not sure, I can't say for sure, but I think so.

REMAKLUS: Well listen, Lynn doesn't know too much about what happened there at Donnelly, when the guys got shot, so would you just tell him about it please.

SPAULDING: Well, I really don't like to talk about it.

REMAKLUS: I don't blame you.

THOMAS: I don't blame you either, but I'd sure appreciate it if you could tell us, because it is difficult for us

SPAULDING: It's already on one recording, isn't it? Jim Maxwell.

REMAKLUS: Did Jim make it, I guess we made it

SPAULDING: Now who are you?

REMAKLUS: Well he is going to help me in the trial.

SPAULDING: When is the trial?

REMAKLUS: We don't know yet. Judge Durtschi hasn't told us yet. I think we're going to find out the 30th.

SPAULDING: Of this month?

REMAKLUS: Yea, that's what I understand, is that right what Judge Durtschi said

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THOMAS: Yea, right.

SPAULDING: Well why was my parents subpoenaed?

REMAKLUS: To uh, just to identify that gun. Yea, I met your Mother and Mr. Schreiber.

SPAULDING: Yea.

REMAKLUS: Yeah, they were down there.

SPAULDING: Then why didn't you tell them where I was, cause I wanted to see them.

REMAKLUS: Well, yea I know, but everything, we started to pick a jury and then when finally the Judge granted the motion then it was late in the day, and I don't know exactly what happened, why your Mother and Mr. Schreiber had to get back to

SPAULDING: They couldn't find out, nobody would tell them where I was. They didn't know I was in Caldwell or they would have come up and asked for me.

REMAKLUS: Well I don't remember, it's only about a hundred miles so they probably will. We may, Carol, we may go back up north of Lewiston and have the trial, and of course you'd get to see your Mother then.

SPAULDING: Yea, well I want to get out in July.

REMAKLUS: I don't blame you. What are you going to do about your baby?

SPAULDING: I'm going to keep it.

REMAKLUS: What kind is it going to be, is it going to be a boy baby or a girl baby?

SPAULDING: I don't know.

REMAKLUS: Guess it doesn't make any difference, does it? Both kinds are pretty nice.

SPAULDING: Yea. When I get out, I'm going into a program where I can have it, I think, but then I'm going to have it near because I'm going to go in this program and get an education and job training.

REMAKLUS: What kind of work do you think you want to study for or train?

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SPAULDING: I haven't thought about it too much, secretarial, I guess, I know a little about that.

REMAKLUS: Where would this training program be?

SPAULDING: This is Seattle.

REMAKLUS: Did you find out about that since you've been here?

SPAULDING: Yea, my friend in Seattle is helping me with it. She used to be a case worker I guess and she knows about it.

REMAKLUS: Carol, I want you to tell Lynn about that there at Donnelly.

SPAULDING: Well, you have it on another tape.

REMAKLUS: Well, why don't you just go through it, it will only take you a minute.

SPAULDING: Why do you want it on tape?

REMAKLUS: So we can have it transcribed and (unintelligible) is all. Do you want us to turn off the recorder.

SPAULDING: I just don't want to talk about it really.

THOMAS: Well, could I ask you, without going into the details, let me ask you this question. Did these two people, Bradford and Arnold, did they attack you or make any advances?

SPAULDING: They didn't attack me they just kinda, they were drunk. They just started acting fresh kind of.

THOMAS: But did they make any move that made you feel threatened in any way?

SPAULDING: They just made me feel like moving on.

REMAKLUS: Did they put their hands on you?

SPAULDING: Yea.

REMAKLUS: Where did they put their hands on you?

SPAULDING: Just had them over my shoulder and they were trying to get down in my breast and I was just kind of moving over. I didn't like that.

THOMAS: But did they go beyond that?

SPAULDING: I don't know, they were just laughing and drunk. Whatever they was doing they thought it was real funny.

THOMAS: Did either of them try to rape you or anything like that?

SPAULDING: They didn't attack me. They was like one guy was driving and the other was passed out kind of in the back. He wasn't really passed out, he was just laying there. He'd laid there from the time he got in the car.

THOMAS: He wasn't doing much of anything, the guy in the back?

SPAULDING: He was kind of laughing and reaching up over my shoulders.

REMAKLUS: Was he the one that was trying to put his hand on your breast, the one in the back seat?

SPAULDING: Both, well the guy in front started to put his arm around me and I moved off.

THOMAS: Would you say it was more of an annoyance than something that made you think that you had something to fear from them?

SPAULDING: I don't know, I was just, I mean I first thought God, what's wrong with these guys.

THOMAS: Were you afraid of them, let me ask you that.

SPAULDING: I don't think so. I think if they had gone any farther it would have started scaring me a little.

THOMAS: But you weren't frightened by them at least up to the point that they did go?

SPAULDING: If they would have stopped I wouldn't have been, but they just wouldn't leave me alone.

REMAKLUS: Did they kind of give you the willies?

SPAULDING: Yea, they weren't my type.

REMAKLUS: It was pretty dirty in the car, wasn't it, Carol?

SPAULDING: Yea.

REMAKLUS: Didn't that one fellow mess in the back seat?

SPAULDING: Yea, they were siphoning gas and they put the hose back there, and I thought the hose was leaking and the hose kept leaking. They say oh the hose is leaking, and I'd go oh, no it's not.

REMAKLUS: It was him, wasn't it?

SPAULDING: Yea, he was going to the bathroom in the back seat and I thought "oh, no." It was kind of sick. They was all drunk, even

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Tom was.

REMAKLUS: You weren't were you, Carol?

SPAULDING: No, I don't drink. I don't like beer, I think it's icky.

THOMAS: Were you outside of the car when Tom shot these two guys?

SPAULDING: Yea.

THOMAS: And they were both inside? Is that right?

SPAULDING: Yea. Tom was outside too.

THOMAS: So in other words you and Tom were outside of the car and they were both inside?

SPAULDING: Yea. Was getting out to go to the bathroom.

THOMAS: You were already out though, is that right?

SPAULDING: Yea, I'd just got out and he just shoved me away real quick, and by the time I even stopped being shoved he had them shot.

REMAKLUS: I wonder why he shot the one in the front seat. Do you have any idea? Did he ever say?

SPAULDING: Huh?

REMAKLUS: Did he ever say why he shot the driver? *he C.S.*

SPAULDING: I don't know. Then after he shot them *he* ~~we~~ put them in that ditch. Then he started kicking them around saying "fuck with my lady again, huh." Started talking to them. I was really scared. I said "Tom, why did you do it?" He said "just get in the car." That's all he said was just get in the car. We got in and started driving.

REMAKLUS: It was getting pretty cold that night wasn't it, Carol?

SPAULDING: Yea, it was real cold.

REMAKLUS: Cause I remember the next day when we were out there, when we found the bodies, I went out there about an hour and it was cold.

THOMAS: Let me ask you this, Carol. After the car, I guess the car ran out of gas down the road somewhere is that

SPAULDING: Yea it did, we just parked it.

THOMAS: You got a ride into Boise with somebody, is that correct?

SPAULDING: Yea.

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THOMAS: Can you describe that person?

SPAULDING: No.

THOMAS: What kind of car was it?

SPAULDING: It was a small car.

THOMAS: Like a Toyota or Datsun or one of those kind?

SPAULDING: Yea.

THOMAS: Was it a man or woman driving?

SPAULDING: A woman and a child.

THOMAS: A woman and a child. Do you remember approximately what her age was? Was she old, middle aged, young?

SPAULDING: I can't remember that, but I remember she had a little boy or little girl.

REMAKLUS: What did you talk about on the way down with her?

SPAULDING: I don't think nothin'. Tom usually done all the talking, I never done the talking.

REMAKLUS: Do you remember what they talked about?

SPAULDING: Huh uh.

REMAKLUS: We've never been able to locate whoever that was (unintelligible). Did they live around there, do you know?

SPAULDING: I think, they didn't go all the way into Boise, right outside Boise.

THOMAS: Did they turn off the road and let you out, or something like that?

SPAULDING: Yea, they let us out.

THOMAS: Do you remember what you were near when you got out, a road or anything like that.

SPAULDING: The road that goes into Boise.

THOMAS: State Street?

SPAULDING: I don't know.

THOMAS: Was there a stop light there?

SPAULDING: I don't know. There was a store and a hamburger stand. I don't know what street it was.

THOMAS: Did you get another ride then?

SPAULDING: Uh huh.

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THOMAS: Or did you walk the rest of the way?

SPAULDING: We got another ride.

REMAKLUS: Carol, did you get out of the first car with the woman and the child where the 2-lane highway ran into a 4-lane highway, do you remember?

SPAULDING: Huh uh, I couldn't remember where he lived. It's a big street though, it was a big street and there was a fishing tackle store or something.

REMAKLUS: Was it a place where you could drive under like an old fashioned service station?

SPAULDING: Huh uh, it was right along side the road.

REMAKLUS: Was there a stop light near there?

SPAULDING: I didn't notice.

REMAKLUS: I'll bet I know where it was.

THOMAS: I think, did you tell somebody before that Tom had told you that he had killed other people and you didn't believe him, or something like that?

SPAULDING: Yea, I think it was mentioned a couple of times.

THOMAS: Did he tell you anything specific about any of those people?

SPAULDING: He said he shot a guy in church, and I thought in a church, why would he do something like that. I didn't say nothing about it, I just ignored it. I wanted to go home to my Mom, the whole time, and then when I got home to my Mom he wanted to leave and I wanted to stay with my Mom, but he said we'll come back, we'll come back. I just want you to come with me.

THOMAS: Did he say where you were going? Did he talk about going to Denver, or anything like that?

SPAULDING: I think he talked about going to New Mexico. He said there was some biker there he wanted to see. I didn't really want to go with him because I just wanted to see my Mom.

THOMAS: Uh huh.

SPAULDING: Was only there a couple of days.

THOMAS: He didn't tell you specifically where you were headed then, is that right?

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SPAULDING: To New Mexico, I think.

THOMAS: To New Mexico?

REMAKLUS: Had Tom been a biker, himself?

SPAULDING: He said he had, I'd never seen him.

REMAKLUS: What group did he belong to?

SPAULDING: He said some (unintelligible)

THOMAS: Did you ever see him around any bikers or talking to any bikers?

SPAULDING: Huh, uh.

THOMAS: Can you remember anything about any of the people that you did meet when you were with Tom out on the road or any other place?

SPAULDING: Not really.

THOMAS: Were there a lot of people?

SPAULDING: Yea, we was hitchhiking, and there is a lot of people when you're hitchhiking.

THOMAS: Did you ever pal around with anybody for any length of time that you would...

SPAULDING: Just the guy we stole the car from.

THOMAS: That was in Virginia?

SPAULDING: Yea, I think so. Because Tom and him was breaking into places.

THOMAS: Was that in Virginia?

SPAULDING: No it was in Tennessee, around there. I really don't know but it was on the way to Kentucky.

REMAKLUS: On your way to Kentucky?

SPAULDING: Yea.

REMAKLUS: Where did you pick that (unintelligible) up?

SPAULDING: On our way to Kentucky. I don't remember where. I think maybe in Texas. I don't know.

REMAKLUS: Was he driving a stolen car?

SPAULDING: Well he said he was. After awhile he told us that his car was hot. So it give us a reason to take it.

REMAKLUS: Did Tom get in a gun fight back there in Kentucky?

SPAULDING: I never seen him with a gun until the end.

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REMAKLUS: Until when?

SPAULDING: Until the end. I never saw him with a gun.

REMAKLUS: Did you know he had that gun when you left your Mother's place?

SPAULDING: No.

REMAKLUS: When did you find out about it?

SPAULDING: When he shot them I found out but, he had a little lump in his side, and I knew something was there, but I thought it was something for me. Because he was always getting me things, and then he'd surprise me with them. So I thought maybe it was something for me so I was just gonna let it be. But it wasn't. I hope it wasn't.

REMAKLUS: Did you see him with any other guns or knives in the car?

SPAULDING: I didn't see none.

REMAKLUS: Did you see anybody take a knife and hold it up towards Tom?

SPAULDING: Huh uh, I don't think so.

REMAKLUS: You know, when you got into Boise there, did you know those people where you were going, or did Tom?

SPAULDING: Neither one of us did.

REMAKLUS: How did you happen to get acquainted?

SPAULDING: We was at a truck stop and we met him, and he said oh you can come stay with me, my wife's pregnant and she needs help. So I helped out with his wife and done the dishes and cleaned the floor and the house and stuff.

REMAKLUS: Now was that Marsh?

SPAULDING: Uh huh, and she had her baby. So I helped her out a little.

REMAKLUS: Was it Marsh...and who was it with Tom that robbed the 7-11 Store?

SPAULDING: I don't know his name.

REMAKLUS: Was there two or three guys?

SPAULDING: There was two.

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REMAKLUS: Two went with Tom.

SPAULDING: Uh huh.

REMAKLUS: Was it Gilliland?

SPAULDING: I didn't know his name, Rick I think.

REMAKLUS: and Marsh?

THOMAS: Rick?

SPAULDING: Rick, I didn't know his last name, I knew his first name.

REMAKLUS: One of them lit out, you know...

THOMAS: That was Marsh.

REMAKLUS: It was his wife that had the baby, wasn't it?

SPAULDING: Yea.

REMAKLUS: Mrs. Marsh, you went over to the hospital didn't you and visited her?

SPAULDING: Yea. I bought her some candy.

REMAKLUS: Did Tom ever boast and brag to you about killing other people?

SPAULDING: I think just the guy in the church. You know, just to hear him talk like that, lots of guys go around saying they've killed people before, you know? It's must something I guess that shows their manlihood. I don't know, maybe that's why Tom ^{Did C.S.} ~~does~~ it, to show me what a man he was. I've heard that so much from different guys. What's so big about that? What makes you so big, that doesn't make you big, it makes you small. So I just didn't believe it, really. Then he told me he was wanted, and I thought, if you're wanted what are you doing out here on the road hitchhiking, that's what I thought. He said so much weird stuff I thought...I just kinda thought he was nuts.

REMAKLUS: Was he always pretty nice to you?

SPAULDING: He was always nice to everybody we met. He seemed real nice and friendly. He was even nice to the guys he killed.

REMAKLUS: Yea, it's kind of hard to understand isn't it.

SPAULDING: Yea. He was nice to me too. I don't know, after he

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shot them guys he kept saying Carol I'd never hurt you, I'd never shoot you, because he knew that I was scared to death, so he kept telling me that.

THOMAS: Did he ever mention anything about shooting this guy that picked you up at the rest stop?

SPAULDING: At the rest stop?

THOMAS: Rivers, Steven Rivers?

SPAULDING: No, but I thought he was going to

THOMAS: Did you?

SPAULDING: I kind of did, yea.

SPAULDING: Because when we got stopped he had the gun right here, and he put it in my purse, but

THOMAS: Sort of in his belt, you mean?

SPAULDING: In his...tucked in his pants. You know I kind of wanted to do something because I kind of thought he might. I didn't really know, but that fellow was a nice guy (unintelligible).

REMAKLUS: (Unintelligible), but I have never used it.

SPAULDING: I don't know if he was or not, though.

THOMAS: He never mentioned it to you in any event?

SPAULDING: Huh uh, but after he shot them guys, I just didn't know what he was going to do.

THOMAS: Did Tom talk to you or discuss his past life or his childhood or his family?

SPAULDING: Yea, he said he was married twice. I think he (unintelligible) I don't know.

THOMAS: Did he talk about his parents?

SPAULDING: He said his father was dead, and his mother wasn't.

THOMAS: He said she was not?

SPAULDING: His Mother, she was alive. And he said she was a good cook.

THOMAS: Did he speak highly of her?

SPAULDING: Not really.

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REMAKLUS: Did he tell you that he had a pretty rough time growing up?

SPAULDING: He didn't talk much about when he was a kid, about playing and stuff (unintelligible)

THOMAS: Did he talk about any particular kind of play that he did when he was a child?

(Side one ends) (Part of conversation missed)

(Side two)

THOMAS: What about this Freddie now, did he have a brother named Freddie, or do you know?

SPAULDING: He said he did. I never met him or talked to him or anything.

THOMAS: Was it Freddie Creech or did he have another name?

SPAULDING: Well when I met Tom I didn't know. He didn't give me his name. He never told me it was Thomas Creech. He said it was Larry something.

THOMAS: Was it Larry McWhorter?

SPAULDING: Yea, that was what he said his name was. I went along until we got on our way back to Lewiston and then he said "I'm wanted." "My name's not Larry," and I thought "huh" you know I just started noticing weird things happening and stuff.

THOMAS: Did he ever mention a Freddie Richardson?

SPAULDING: Huh uh. I think his brothers went by McWhorter, I'm not sure.

REMAKLUS: There's a lot of names in here, of course Gillian, uh

SPAULDING: I read a story he had in detective magazine; Thomas Creech was in it. One of the girls had a detective book here.

REMAKLUS: Did they?

SPAULDING: Yes. It said how cute I was.

REMAKLUS: Do they still have the book around here?

SPAULDING: Yea.

REMAKLUS: Let's get it and have a look at it, maybe we can ask the

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lieutenant.

SPAULDING: One of the girls had it.

THOMAS: Is that the one that talked about the Portland case?

SPAULDING: Yea, it talked about the Arizona case and Portland case.

THOMAS: Did it have a picture of Tom on the front, and

SPAULDING: Yea, it was called the Killer with the Cross on His Cheek.

THOMAS: Yea, that's the "Inside Detective" story. We've already seen it.

REMAKLUS: Well, I'd never heard of it.

SPAULDING: When I came back here after I went up there for the trial and came back, everybody said you was in the detective magazine. I thought, "oh no," then I read it.

REMAKLUS: Did you see it, Lynn?

THOMAS: Yea, Joel Grayson sent me a copy. Didn't he send you a copy? Oh, well, I'll get you a copy of it. Your name's in it.

SPAULDING: My name's not, was it?

THOMAS: Yeah

SPAULDING: I don't think it was.

THOMAS: Maybe I could be mistaken but

SPAULDING: I don't think it was.

THOMAS: Maybe I could be mistaken but

SPAULDING: I was hoping it wasn't.

THOMAS: Maybe you were simply described in it rather than being

SPAULDING: Yea, he said how cute I was. I hope my name wasn't in it, because I

THOMAS: Maybe not, it could be that they didn't mention your actual name.

REMAKLUS: What's the...do you like it better down here than you did up there in Boise?

SPAULDING: A little bit, it's a little nicer. I'm going to school and trying to get my GED, which in Boise I couldn't do. You know, a teacher came in once a month, that wasn't enough, really.

REMAKLUS: There's more gals down here than there were in Boise.

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SPAULDING: Yea.

REMAKLUS: Did they all come down here, Carol?

SPAULDING: Uh huh

REMAKLUS: I was really surprised.

SPAULDING: They closed it down because there wasn't enough people in it.

REMAKLUS: I wondered why they.....There's some pretty cute girls in here, right there. What are these kids in for, do you know?

SPAULDING: Oh, all kinds of different things. There's one thing that's really strange since I've been in prison that I've noticed. There's a lot of people for killing their husbands and wives. A popular crime. I think that's unusual.

REMAKLUS: No, I think you have more opportunity to get mad at a husband or wife than anybody else, you're around them more, you know.

SPAULDING: Yea, that's kind of unusual.

REMAKLUS: Yeah, some of these gals in for that?

SPAULDING: Yea, a couple of them are. It just kind of struck me as unusual that there was that many. Then in Idaho there was a lot for assault with deadly weapons, shooting them but not killing them. Seems like a lot of people shot their husbands.

REMAKLUS: You know I've got one of those, I've got to try a young woman in McCall. She took a deer rifle to her husband, and when she shot him she shot him right here. He was just bending over to take off his overshoes when she shot him.

SPAULDING: Did it kill him?

REMAKLUS: No, it didn't kill him, just as he bent over to take off his overshoes, otherwise she'd have got him right through the heart. Husband and wife, they're both screwy. There's quite a few of these gals, aren't there? Probably a lot of guys over in the other place for lowering the boom on the old lady too. You think any day now for your baby, huh?

SPAULDING: It was supposed to be last week. I was due June 8, was my date.

REMAKLUS: Now will they take you downtown to the hospital?

SPAULDING: Yea, and then it has to be in a foster home. I'm worried about how I'm going to get it out of there.

REMAKLUS: Well I tell you this is all strange to me, because I've never been involved in a situation like this, so I don't have any advice or any words of wisdom for you on that.

SPAULDING: Yea, well like welfare workers will come to see me, and I'll try to talk about how I'm going to get it and how I'm gonna, where it's gonna be placed, and they will say now just a minute and let me finish. They tell me about adoption. They say just let me finish and tell me how nice it is. I don't want to adopt it out.

REMAKLUS: Carol, how far through school did you get?

SPAULDING: I got about a 10½ grade level in my school _____

REMAKLUS: Well it shouldn't be very difficult for you to get your GED.

SPAULDING: Huh uh. I just have problems with math and I'm getting over that. I've got over most of it.

REMAKLUS: Now what is the name of the place in Seattle that you may attend?

SPAULDING: Pioneer Cooperative Affiliation is the name of it.

REMAKLUS: Say that again.

SPAULDING: Pioneer Cooperative Affiliation. I don't know too much about it. They just wrote and told me that if I was interested to write to them, so I wrote them and I'm waiting to hear from them.

REMAKLUS: We sent a fellow up on a burglary charge, and we sent he and his wife and his kids all of them over to a program over at Glasgow, Montana where they take the whole family and so that sounded good to me, and maybe get them all squared around.

SPAULDING: Oh, wow.

REMAKLUS: Well this sounds good, I hope you don't change your mind. Now you want to go up there because you'll learn something and if you're going to keep that baby, you have to be able to earn a living. You can't take the baby out on the road like you were.

SPAULDING: Well the people in Idaho screwed me over when I had my 120 days. Like this counselor, he said it would be suitable if I went out on welfare until the baby got older, so I said okay

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that's what I'm going to do, and I didn't get out.

REMAKLUS: Well I think you are going to have to figure on being able to support yourself, here.

SPAULDING: Yea, I know, that's what I'm planning on doing, but I was going to do that until I could get situated and while the baby is so little, so I could take care of it, but I can't do that. She told me I could, but she lied to me, not really.

REMAKLUS: The only time that I was ever out at the Idaho Penitentiary, the new one, was that day that Jim and I came down to visit with you. I'd never been in there before or since.

SPAULDING: Yea.

REMAKLUS: Do they take pretty good care of you here? Do you feel (unintelligible)

SPAULDING: Oh yea, they do alright.

REMAKLUS: How's the food and everything? Do they have good food here?

SPAULDING: It's okay.

REMAKLUS: You don't sound very enthusiastic.

SPAULDING: Well, sometimes it's better and sometimes it's worse.

REMAKLUS: Well, Lynn, uh, I want to ask you somemore, just some names just to see if they wouldn't refresh your memory, and let's see Rick, well that was down in Boise. Jeff Oslow from Crescent City, California, did he ever mention him?

SPAULDING: No, but he mentioned he knew some people in Crescent City.

REMAKLUS: Then there is somebody John Boy and here's a Jerry. Let's see, Paul G. Amerrow.

SPAULDING: No.

REMAKLUS: Ammeralt?

SPAULDING: No, I didn't know any of Tom's friends.

REMAKLUS: He was from Baltimore. Jerry and his old lady Donna, was that the Sage that you mentioned?

THOMAS: Yea, that's what I was after.

SPAULDING: Where does it say about them?

REMAKLUS: Well it just says here "they thought I was Larry McWhorter, and they didn't run a fingerprint check, so once again I escaped

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the hand of the law. In the early part of October I was sent to New Mexico to waste three Mexicans who were prospects of the Banditos who had killed one of our members." Were the Banditos a biker? "I found them, killed them at Blue Waters State Park near Grants, New Mexico." Is that familiar to you? "I also took Jerry and Donna and John Boy on that trip. Jerry and his old lady Donna had ripped off 20 pounds of smack from our family and was also responsible for the death of...."

SPAULDING: That's, that's what he told me about. Right after I met him he said that's what Jerry and Donna, they took that dope.

REMAKLUS: And then here I can't, "the death of" and then I can't read that, they've cut it off, then

THOMAS: Well what else did he tell you about that?

SPAULDING: Well that was the first night that I knowed him. I knowed him before, but that was the first night that we left the carnival together. He was calling to ask about his car, his car, his car, trying to get hold of his car, and he said that it was in his car, this dope was. Then he said they tore the rear end out of his car, but I guess, I don't know.

THOMAS: Well that was after they left with the car?

SPAULDING: Yea, I never saw the car. But he said they were fixing it, and they tore the rear end out of it when they got impounded.

THOMAS: Was that Jerry and Donna that tore the rear end out of it?

SPAULDING: This was a different one from the one we picked up hitchhiking.

THOMAS: This is a different Jerry and Donna?

SPAULDING: Yea, and then the people we picked up hitchhiking, their names was Jerry and Donna.

THOMAS: Well had he talked about Jerry and Donna before you picked up these hitchhikers, or did that come up afterward?

SPAULDING: Well he just talked about them that night.

THOMAS: Was that after you had picked up the other Jerry and Donna?

SPAULDING: No, that was before that.

REMAKLUS: The night you left Fresno, huh?

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SPAULDING: Yea, that was the night.

REMAKLUS: Let me read you a little bit more here, maybe it will

THOMAS: Excuse me just a second.

REMAKLUS: Yea, sure.

THOMAS: Did you ever personally see the other Jerry and Donna or meet them, that supposedly stole the dope?

SPAULDING: No. He just talked about them.

REMAKLUS: It said "so unsuspecting the death ritual had been imposed on them and they were to die. Jerry really begged a lot for me not to kill him, but I shot him while he was still begging. John Boy took care of Donna and he also killed two old people and ripped off their camper. That was out of order, so I also wasted John Boy. But John Boy died the next week in his van in Barstow, California." Do you know anything about that?

SPAULDING: The only people we met in Barstow is, I can't remember their names. Rosemary and Lee was their names. We took their car.

REMAKLUS: Do you know anything about a van down there?

SPAULDING: No. When we was in Barstow, we was just going through. We got on the freeway and got a ride. We got a ride to this old ghost town kind of like. There's a ghost town by there, it was by there, and there was no cars that drove by there at all. Then finally this guy that picked us up and give us a ride out to that old deserted place, we was having coffee and then we was walking back to the freeway, and this same guy picked us up and he said "you can stay with us." So we stayed with him. Then we got drunk.

THOMAS: That was the Jerry then.

SPAULDING: No that was Lee, Lee and Rosemary. So we stayed with them a couple of, and they were weird. They wanted to swap out and stuff. I thought this isn't what I want to do.

REMAKLUS: You mean change partners?

SPAULDING: Yea. Then, well, we stayed there a couple of days and went out to some caves. We went to Calico Ghost Town, a ghost town, just kind of sight seeing.

THOMAS: With Lee and Rosemary?

SPAULDING: Yea. Then we took their car.

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THOMAS: Tom stole their car you mean?

SPAULDING: Yea.

THOMAS: What happened to them?

SPAULDING: Well, we was at the caves. They was lookin at these caves and there was some, it was just kind of a hassle really.

REMAKLUS: Well did, uh,

SPAULDING: to me. He took the keys out of the car and then they was looking for the keys and they couldn't find them so they decided they was gonna walk and told us to stay with the car.

THOMAS: They walked off then and did you ever see them after that?

SPAULDING: No.

THOMAS: After they walked away you drove off with the car, or Tom did, rather?

SPAULDING: Yea. I don't know how to drive.

THOMAS: Did you ever go inside of any of these caves around this area?

SPAULDING: Uh huh.

THOMAS: Was that at Calico?

SPAULDING: Yea, it was right be Calico (unintelligible) and we went in some of them, but it was no fun going in them. They just had holes and stuff and things to bang your head on. So me and Rosemary most of the time we just set around. We'd sit inside this little front part of the cave, like some have a real big front like a front room. We'd just sit there and wait.

THOMAS: Were you ever with Tom any place in California when your car got stuck and you were pulled out by a Pepsi-Cola truck or a beer truck or any other thing like that?

SPAULDING: No, Barstow was the only place we ever got a car, and from Barstow we went to Arizona right after we got it.

THOMAS: In other words, you got the car from Rosemary and Lee in Barstow; is that where the Calico Mine area is, around Barstow?

SPAULDING: Uh huh.

THOMAS: And then you drove from there to Flagstaff?

SPAULDING: Yea, and that's where we met Jerry and Donna.

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THOMAS: And then they took the car from you, is that right?

REMAKLUS: They stole it from you and Tom?

SPAULDING: No, we give it to them.

THOMAS: Oh, you gave it to them, I see.

SPAULDING: Out of the kindness of our heart.

REMAKLUS: You gave them Lee's car.

SPAULDING: Yea.

THOMAS: Well do you know what Lee and Rosemary's last name might be?

SPAULDING: Wert, W-E-R-T

THOMAS: W-E-R-T. Were they the actual owners of the car, or had they

SPAULDING: I think they was buying it. I don't think they owned it yet, but they were just from Michigan, but they'd moved to, the car was from Michigan, but I don't think the plates were, I'm not sure though.

THOMAS: Well had they been living in Michigan or...or in California?

SPAULDING: They were living in California then, but before they'd lived in Michigan.

THOMAS: And it was around the Calico Mines that you took the car from them and then, let me get it straight in my mind, where was it that Jerry and Donna picked up the car from you?

SPAULDING: We gave it to them in Albuquerque.

THOMAS: Albuquerque, New Mexico.

SPAULDING: Yea.

THOMAS: Did you hitchhike then from there on to Kentucky?

SPAULDING: Yea, until we got into Kentucky and went into Virginia. We turned around up in Virginia and (unintelligible) to see my Mom.

THOMAS: What was the reason for giving them the car? Was it because it was stolen?

SPAULDING: Yea, I didn't like the idea of having a hot car, it just helped me get arrested and then I'd get in trouble and I wanted to go see my Mom. That's the only reason I done any of that shit, because I wanted to see my Mom. Then I felt sorry for Tom, but then he just turned out to be a fuck up.

REMAKLUS: Did Tom think that you wanted him to shoot those guys up there, do you know anything about that?

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SPAULDING: I don't know, I don't know why he would think that.
I wouldn't know where he would get that idea.

REMAKLUS: Well, I didn't either, but

SPAULDING: Did he have that idea?

REMAKLUS: Well, I can't tell, you know, that's why I asked you.

THOMAS: Do you have a poem about that that he wrote. Maybe we
could show that to Carol and ask her to just comment on that.

REMAKLUS: Okay, "Busted," I don't know which one, "Ballad of the
Sheriff," "The Cook," here this must be it, here. I haven't had
a chance to read it.

SPAULDING: I really think Tom is feeding you a lot of shit the way
it sounds, but I don't know.

REMAKLUS: It's awful hard to tell, Carol, and that's why we're

SPAULDING: Yea, it's awful hard to tell because all the time I
thought he was telling shit it come true, so it's hard to tell.

REMAKLUS: Yea. "It started down in Valley County
Me and Carol was just passing through
So we thought we were in luck when
the two men us up,
Cause they said they were going to Boise too.

We rode with them from Grangeville
To a junction outside of Cascade
And that's where they tried to rape Carol
That was the one mistake they made."

Now they didn't try to rape you, did they?

SPAULDING: No. They didn't do nothing with force, but they was
just making passes and stuff, so

REMAKLUS: "I pulled my gun from its holster
I fired four shots from my side
Now they will never hurt my Carol
For trying, both of them died.

I turned and held Carol to me
She was trembling and her heart was filled with fright
Then the darkness was all around us
And the thought of death filled the night."

Now, did he hold you up there?

SPAULDING: I don't think so, because I know I said "Tom, why did
you do that?" And he said "got in the car." I was scared, but it
didn't even bother him.

REMAKLUS: "They caught us near a town called Glenns Ferry
And booked us on murder first degree
Then I gave my full confession
And asked them to set my Carol free.

The papers printed up a story
But Lord they didn't print the truth
That's why I've written down these words
And now people, I'm asking you."

SPAULDING: I think he wrote that poem and sent it to me.

REMAKLUS: "Now if it had been you and your Carol that night
Instead of my Carol and me
Would you have let them raped her
Or would you have done like me.

By the laws of the State of Idaho
For first degree murder one dies
But for protecting the one you love
Do you think it's right?"

Evidentially he is trying to justify it now, isn't that what you
would say?

SPAULDING: Yea.

REMAKLUS: Well, did you think there was any reason to shoot those
guys?

SPAULDING: Not really, it shocked me. Like I asked him "why did
you do it?" That was about the only thing I said. When he shot
them I think I said "Oh my God" because it shocked me, and I asked
him why he'd done it. He didn't say.

REMAKLUS: Had you started to urinate there by the car when he shot
them?

SPAULDING: No. Like I got out of the car, he got out of the car
first and then I got out, and he just shoved me away out, out of his
way.

REMAKLUS: You were right in the middle then?

SPAULDING: Yea.

REMAKLUS: Uh, he, he pulled them over in the ditch by himself did
he, Carol?

SPAULDING: Yea. (unintelligible)

REMAKLUS: Did you get sick to your stomach there?

SPAULDING: I felt...I don't...I didn't puke, but I was awful sick.
That whole night I was sick (unintelligible) I was feeling better.

REMAKLUS: Well, I don't think I have any more, Lynn, do you have
any more?

THOMAS: There's just one question and you don't have to answer

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this if you don't want to. Of course you don't have to answer anything you don't want to, but Tom has suggested that you killed a girl in California. Is that true?

SPAULDING: No, I never even seen a dead person before until

THOMAS: Till this thing up in Donnelly?

SPAULDING: These two, I never even seen a dead person. I don't know where he ever got that idea. Could I get that story, do you think?

REMAKLUS: Well, it would take quite awhile, I don't mind your skimming through it Carol.

SPAULDING: Yea, I'd like to see some of it, whatever it

REMAKLUS: Yea. You probably know most of it.

SPAULDING: Yea, but like when it says the middle of October he went to shoot some guy, I was with him then in the middle of October, I think. (unintelligible), September, October.

THOMAS: Let me ask you this. Were you with him all of the time from the time you met him in September until the time you were arrested?

SPAULDING: I always wasn't with him, you know, where I could see him all the time, but I was with him.

THOMAS: You were traveling together and things like that. So he couldn't have gone off to another state or another town without you knowing about it, is that right?

SPAULDING: Uh huh.

THOMAS: Did he ever do that?

SPAULDING: No, but like he was out a lot. Sometimes we would stay in motels and he would go out.

THOMAS: Well, I don't think I have any more questions, Bob.

REMAKLUS: Why don't you turn that machine off and then if we talk

THOMAS: Actually, probably if we are going to have any of it on, we ought to leave it on until we leave so that we make sure we don't miss anything.

PAUSE

REMAKLUS: Do you recognize any of that stuff?

SPAULDING: This is all sounds, something about his childhood.

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REMAKLUS: He seemed to be fairly consistent on having an unhappy childhood.

SPAULDING: Yea, he did tell me, he said he (unintelligible)

THOMAS: Did he tell you why he did that?

SPAULDING: No.

PAUSE

SPAULDING: Are you going to be here in Nevada very long? .

REMAKLUS: No, we've got to go back today, Carol. We have to go to San Francisco to get back to Boise. Long way around, isn't it?

SPAULDING: Yea, I guess. How come?

REMAKLUS: Well, there are just no airplanes out of here. We have to stay all night and catch the morning flight, and I have to be back in court tomorrow, I just can't wait, and Lynn's got some appointments, so we're going to have to get out of here today.

PAUSE

SPAULDING: Seems like he shoots a lot of people two times, huh

THOMAS: Yea, I noticed that. Does that mean anything to you in particular?

SPAULDING: No, just sounds kind of weird. Because he shot that one guy two times too, in the car.

THOMAS: Oh really, Bradford or Arnold, you mean?

SPAULDING: (unintelligible)

THOMAS: Yea, that's a good point, I hadn't noticed that, I mean I've noticed it, but really hadn't focused my attention on it.

That's true.

PAUSE

SPAULDING: His Dad had a heart attack when he was visiting him, is that what he's saying?

THOMAS: Yes, I think that's what he's saying, I don't know whether that

SPAULDING: Yea, that's what he told me.

THOMAS: That's consistent with what he told you?

SPAULDING: Yeah, he said that someone in the prison it was their fault that his father died.

THOMAS: Did he say why it was somebody else's fault?

SPAULDING: He said they didn't get the medics, I guess.

Exhibit-A

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THOMAS: Oh, did he talk about his father very much to you?

SPAULDING: Huh uh, that's all he ever told me.

THOMAS: Just that he died while visiting him.

SPAULDING: I thought maybe it was true and maybe it was not. Maybe he never even been in prison before.

PAUSE

REMAKLUS: Well, you got it all read, kid?

SPAULDING: No.

REMAKLUS: You know the lady that used to kind of be in charge out here at this place, moved to Cascade and bought a motel. She sold it and moved back. I asked that lady in there if she knew her, and she's a neighbor, so she's going to give her my regards.

PAUSE

SPAULDING: You sure are tall.

REMAKLUS: My Mother was almost 6 feet tall. How far are you?

SPAULDING: 34

REMAKLUS: You're going to get through it.

SPAULDING: Yea.

THOMAS: I might mention, Carol, just for your information, there are two lawyers who are representing Tom. They'll probably be coming down here wanting to talk to you.

SPAULDING: Who is that?

REMAKLUS: A man by the name of Bruce Robinson and he probably will have another man with him. Mr. Hower is no longer representing Tom.

PAUSE

REMAKLUS: Carol, how are you set up for cigarettes and stuff like that, do you

SPAULDING: I have a little bit. Could use some. (unintelligible) cash on travel.

REMAKLUS: I'll make arrangements to get you a carton. Kools, what do you want?

SPAULDING: Half Kool's and half mentol Benson & Hedges.

REMAKLUS: That's a pretty tough order for me to remember.

SPAULDING: Okay. That's nice, this is my last pack of cigarettes.

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THOMAS: Oh, that ought to come in handy then.

SPAULDING: Everyone has been bumming off me, driving me up the wall. They proved Tom sane, didn't they?

THOMAS: He was examined by a psychiatrist who said that he was, yes.

SPAULDING: I think that is unusual, I mean if he goes around killing people just for the hell of it, that seems that he has some problem.

THOMAS: Yea, well they don't mean that he doesn't have any problems, I'm sure, just that he is able to stand trial is what the real meaning of that report is.

PAUSE

SPAULDING: It's really a strange story, I wonder if it is all true.

THOMAS: Well, at this point, nobody really knows.

SPAULDING: Well he told me that Tommy was dead.

THOMAS: Tommy, that's his wife?

SPAULDING: His ex-wife. He said she died in a car wreck, the big liar.

THOMAS: So at least that part would not be

SPAULDING: But I guess she isn't (unintelligible)

PAUSE

TAPE ENDS

Persons present during taping: Carol Spaulding, Bob Zemaklus, Valley County Prosecutor, Lynn Thomas, Deputy Attorney General, State of Idaho.

EXHIBIT B

STATE OF IDAHO,)	
)	
Plaintiff,)	
)	
v.	)	AFFIDAVIT
)	
THOMAS EUGENE CREECH,)	
)	
Defendant.)	

STATE OF NEVADA)	
	)	ss.
COUNTY OF WASHOE)	

CAROL SPAULDING, being first duly sworn, upon her oath deposes and says:

On or about Sunday, November 3, 1974, Thomas Eugene Creech and I left Lewiston, Idaho, hitchhiking.

About twenty miles out of Lewiston we caught a ride in an old green and white Buick 4-door sedan with two men named Bradford and Arnold. We drove through some small towns including Grangeville and McCall, Idaho.

After we left McCall, I was riding in the front seat of the car in the middle. Thomas Creech was sitting next to me. One of the men who had picked us up on the road was driving the car.

Just after we had passed through a small town, which I am informed and believe, was Donnelly, Idaho, the car was stopped because I had to go to the bathroom. I had just gotten out of the car when Thomas Eugene Creech shoved me

away quickly and immediately shot the two men, who were still sitting inside the car. At this time, both Thomas Eugene Creech and myself were standing outside the car. I was not aware before this occurred that Thomas Eugene Creech intended to shoot the two men.

The two men, Bradford and Arnold, were drunk and had been acting fresh toward me. Neither Bradford nor Arnold attacked me in any way. The man in the back seat had been kind of laughing and reaching up over my shoulders and putting his hands on me, but I moved off. Neither man made any attempt to rape me. Thomas Eugene Creech shot both men without provocation and without warning.

After the men had been shot and placed in a ditch along side the road, Thomas Eugene Creech started kicking the bodies around saying "fuck with my lady again, huh," or words to that effect. I was really scared. I said "Tom, why did you do it?" Thomas Eugene Creech said "just get in the car," that's all he said was just get in the car. We got in and started driving and later abandoned the car some distance down the road and hitchhiked into Boise, Idaho.

Tom shot the man that was driving the car first and shot the other man very quickly. The driver was just sitting there in the car at the time Tom shot him. The man in the back seat did not have time to do anything after Tom had shot the driver.

I did not see either man take a knife and hold it toward Tom at any time before the shooting occurred. I did not see any other guns or knives in the car, except for the gun which Tom used to shoot the two men.

After the shooting, I was frightened but the shooting did not even appear to bother Tom. After Tom shot the man he kept saying "Carol, I'd never hurt you, I'd never shoot you," because he knew that I was scared to death.

I had known Thomas Eugene Creech for only about two months prior to the time we were arrested. I first met Tom in Fresno, California at a carnival around the first part of September, 1974. I traveled with him by car to Kentucky and from Kentucky back to Lewiston, Idaho, where we stayed with my mother for a short time. It was after that stay that we began hitchhiking on the trip which I have described in this Affidavit.

Tom talked quite a bit during the time I knew him about being associated with bikers or motorcycle gangs, but I never saw him associate with anybody that I knew to be a biker or motorcycle gang member.

After we had hitchhiked into Boise, we stayed with Jim Marsh and his wife, who was about to have a baby. During the time we were there, Tom talked about the shooting near Donnelly with Jim Marsh. He told Jim that he had killed the two men and talked like it was something you do every day. I remember Tom used to tell me about killing people. I never believed him. Then when he did it I know I believed him.

After staying at Jim Marsh's house for a short period of time, Jim Marsh drove us to a rest stop outside of Boise where we hitchhiked with a man named Steven Paul Rivers. I did not know Steven Paul Rivers' name at that time, but I am informed and believe that such is the name of the person with whom we hitchhiked. We were with Steven Paul Rivers at the time we were arrested. When we were pulled over by a police car in Glens Ferry, Tom had the gun with which he had shot the two men near Donnelly in his pants. When he seen that we were getting pulled over, he put the gun in my purse and it was taken from me after we were arrested. I believe that Tom stole that gun from my Mom's boyfriend in Lewiston. His name is Schreiber.

Further your affiant saith not.

CAROL SPAULDING

SUBSCRIBED AND SWORN To before me this _____ day
of September, 1975.

NOTARY PUBLIC for Idaho
Residing at
My commission expires:

EXHIBIT C

AFFIDAVIT OF JUDY OGAWA

EXHIBIT C

State of Idaho)
) ss.
County of Ada)

I, JUDY OGAWA, being first duly sworn, upon my oath declare that:

1. I have been asked to prepare this affidavit by Assistant Attorney General, Ronald D. Bruce.
2. The following events occurred during the course of the performance of my official duties as a correctional officer employee of the Idaho Department of Correction on Thursday, August 7, 1975:
 - a. I escorted Carol Spaulding to the Juvenile Detention Center for the purpose of a hearing on the custody of her child. Upon arrival, Carol was met by her attorney, Mike Lee, who escorted her to a room where they talked in private for awhile before the hearing began. The hearing was delayed a few moments to allow Attorney Bruce Robinson to arrive from Nampa to appear in behalf of the alleged father of the child, Thomas Creech.
 - b. Shortly after Mr. Robinson arrived, he introduced himself to Ms. Spaulding, and requested he speak with her for a few moments after the hearing. At that point, Mr. Lee said he had a 3:30 court appearance and that he would either have to be there, or make a call now. He then suggested that Mr. Robinson accompany him to an office where they could talk.
 - c. After the hearing, which was continued to January 15, 1976, Attorneys Robinson and Lee took Ms. Spaulding to a room where they talked for some time. Just before our departure from the building, Mr. Robinson came over to where I was sitting and asked if I was the Officer assigned to Ms. Spaulding, and then introduced himself, and told me Ms. Spaulding would be subpoenaed to Creech's trial by the defense and State.

d. On the way back to Canyon County jail, I asked Ms. Spaulding what Mr. Robinson was questioning her about. She said "He told me if any police or anyone ask me any questions not to talk to them." I asked her, "Is that all?" She said, "No, a bunch of other stuff."

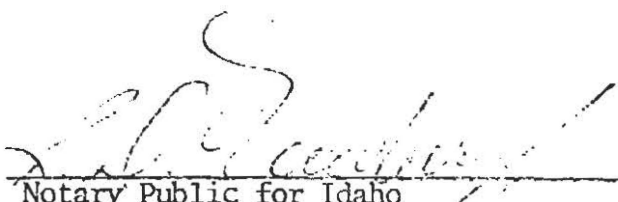
3. The above is an accurate description of the events I observed.

Dated this 11th day of August, 1975.



JUDY OGAWA

Subscribed and sworn to before me this 11th day of August, 1975.



Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires: 1-25-77